

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9039 of 2018

Arising Out of PS.Case No. -464 Year- 2017 Thana -KATIHAR District- KATIHAR

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1. Bholu Prasad Sah, S/o Late Manna Lal Sah, Resident of Village-
Sakraili, P.S.- Barari (Semapur), District - Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. Chhathu Lal Sah @ Chhathu Lal Sah, Life for all, Kolkata (Trustee of
Foundation), S/o Late Manna Lal Sah, Resident of Village - Sakraili,
P.S. - Barari, District - Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 04-07-2018

Heard learned counsel for the parties.

Opposite party no. 2, who is full-brother of the
petitioner, was allowed bail by this Court vide order dated
19.09.2017 passed in Cr. Misc. No. 44554 of 2017 (Annexure-2)
in connection with Katihar (Town) P.S. Case No. 464 of 2017.

The present application is for cancellation of bail
for the reason that opposite party no. 2 is carrying criminal
antecedent vide Annexure-3 and 4.

Annexure-3 and 4 would reveal that same
informant, who is full-brother of opposite party no. 2, has lodged
those cases due to civil dispute between the parties.

After hearing the parties, I do not find any ground
to cancel the bail already granted to the opposite party no. 2.



Accordingly, this application stands dismissed.

There is no reason that opposite party no. 2 would not cooperate with` the trial. In the event of non-cooperation, the court below is competent to take appropriate action.

(Birendra Kumar, J)

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