

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68608 of 2018

Arising Out of PS. Case No.-169 Year-2017 Thana- ADAPUR

District- East Champaran

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JUGAL RAUT @ YUGUL RAUT @ YUGAL RAUT Son of Late
Bhagwat Raut Resident of Village-Lxhmipur Pokhariya,P.S.
Adapur,Distt.-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Prashad Shrivastava @ Suresh Prashad S/o Sri Jwala Prasad
Shrivastava Resident of Village-Lakshmipur,Pokariya,P.S.
Adapur,Distt.-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Jeet, Adv

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

- 2 22-11-2018 The petitioner seeks cancellation of bail of O.P. No. 2 which was granted to him by a Bench of this Court on 16.01.2018 in Cr. Misc. No. 56992 of 2017 in connection with Adapur P.S. Case No. 169 of 2017 instituted for the offences under Sections 341, 323, 324, 354, 307, 147, 148, 149, 379, 504, 506 and 302 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that a statement was made by O.P. No. 2 that he does not have any criminal antecedent which is patently a



false statement.

The facts of this case reveal that there is a case and counter case and even the father of the O.P. No. 2 died while in custody. The aforesaid facts were taken into account by the coordinate Bench of this Court as also that the only allegation against the O.P. No. 2 was of giving one iron rod blow.

The other case in which the O.P. No. 2 was made accused at the time when the bail was granted to him is under Section 379 I.P.C. Even if such erroneous statement was made by O.P. No. 2, considering the aforesaid facts of this case, this Court does not think it to be proper to cancel the bail of O.P. No. 2.

There is no merit in the petition and it is accordingly dismissed.

(Ashutosh Kumar, J)

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