

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3733 of 2015

Arising Out of PS.Case No. -454 Year- 2012 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

State of Bihar

.... Petitioner.

Versus

Laloo Sahni Son of Sanichar Sahni Resident of vill-Nakhas Chauk,P.S-
Town,Distt.-Vaishali

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-09-2018

Heard learned counsel for the petitioner.

The present application has been filed for cancellation of bail granted to opposite party vide order dated 03.07.2013 passed in Cr. Misc. No. 15925 of 2013 in connection with Hajipur Town P.S. Case No. 454 of 2012, pending in the Court of learned Judicial Magistrate, Ist Class, Vaishali at Hajipur.

The factual matrix of the case is that the opposite party was granted regular bail in a case registered for the offences punishable under Sections 379, 427 of the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms Act.

The accusation is of committing theft when country made pistol was recovered from the possession of the



petitioner.

While granting bail to opposite party it was brought to the notice of this Court that opposite party was accused in five other cases of similar nature but he was on bail in all those cases when learned Court below was given liberty to cancel the bail bonds of opposite party, if opposite party substantially gets involved in similar nature of offence or defaults for three consecutive occasions.

It is submitted by learned counsel for the petitioner that subsequent to grant of bail, the opposite party got involved in Hajipur Town P.S. Case No. 690 of 2013 registered for the offences punishable under Sections 399, 402, 353, 307, 414 of the Indian Penal Code and Sections 35/27 of the Arms Act.

Keeping in view of the fact that the bail was granted to opposite party in 2013 and the present cancellation application has been registered before this Court on 27.01.2015, moreover, the order is specific that if opposite party gets involved in similar nature of offence the learned Court below was to cancel the bail bonds of opposite party.

In the circumstances, this Court is not inclined to interfere. However, the petitioner is at liberty to move before the learned Court below in view of the liberty



aforementioned incorporated in order dated 03.07.2013 passed in
Cr. Misc. No. 15925 of 2013.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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