IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55969 of 2017
Arising Out of PS.Case No. -96 Year- 2015 Thana - GOPALPUR District- PATNA

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Arbind Kumar Yadav, son of Late Radhe Shyam Singh, Resident of Village- Udani, P.S. Gopalpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Devkrishna Singh @ Chhangu Singh son of Late Khelawan Singh, Resident of Village- Udaini, P.S.- Gopalpur, District- Patna.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhirendra Kumar Singh
For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-03-2018 The O.P. No. 2 was granted bail by the Court below by order dated 11.08.2017 passed in B.P. No. 2126 of 2017 in connection with Gopalpur P.S. Case No. 96 of 2015 which was instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 504, 379 of the Indian Penal Code and Section 27 of the Arms Act.

The informant/petitioner has alleged that on 21.07.2015, while he was sitting at his house, the accused persons came and out of them, two opened fire from their weapons but it did not hit the informant/petitioner. Thereafter, O.P. No. 2 gave him a *Farsa* blow, leading to injuries on his person.

While considering the bail application of the O.P. No. 2,

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learned court below examined the allegations and found that the injuries suffered by the informant/petitioner were simple in nature, which injuries were opined to have been caused by hard and blunt substance.

Learned counsel for the petitioner has submitted that anticipatory bail of the petitioner was earlier rejected by the Hon'ble High Court and therefore, he should not have been granted bail by the Court below.

This cannot be a ground for cancellation of the bail granted to O.P. No. 2 on the merits of the case.

It has further been submitted by learned counsel for the petitioner that after being released on bail, O.P. No. 2 has constantly been threatening the informant/petitioner of dire consequences.

No case or informatory petition has been brought on record by the petitioner in support of the aforesaid allegation.

No cogent reason has been assigned by the learned counsel for the petitioner for interfering with the order granting bail to O.P. No. 2.

The petition is, therefore, dismissed.

(Ashutosh Kumar, J)

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