

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6950 of 2018

Arising Out of PS.Case No. -120 Year- 2016 Thana -NANHPUR District- -

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1. MAMTA DEVI, Wife of Late Bishwanath Paswan @ Late Bishambar Paswan Resident of Village-gaura, P.S. Nanpur, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lal Babu Choudhary @ Lal Chaudhary, Son of Bindeshwar Choudhary, R/o Village-Gaura, P.S. Nanpur, District-Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party:

For the Opposite Party no. 2 : Mr. Rajendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-04-2018

By way of present application, the petitioner has sought for cancellation of bail granted to opposite party no. 2 vide order dated 28.06.2017 passed in Cr. Appeal (SJ) No. 1015 of 2017.

It has been submitted by learned counsel for the petitioner that opposite party no. 2 has obtained the bail on the wrong submissions that there was no recovery of any *gamcha* and mobile but the same was recovered and further the opposite party no. 2 has stated that there is no seizure list, however, the seizure list is available.

Learned counsel appearing on behalf of opposite



party no. 2 has submitted that in para -9 of the bail petition of Cr. APP (SJ) has clearly stated that the vehicle was used by the police for carrying the dead body of the deceased and though the opposite party no. 2 has submitted that no *gamcha* or mobile was recovered from the vehicle and no seizure list was available, however, earlier the learned counsel for the petitioner has not controverted the above submissions when the opposite party no. 2 was granted the privilege of bail.

Having heard both sides, considering the facts and circumstances of the case, I find no reason with the earlier order dated 28.06.2017 passed in Cr. Appeal (SJ) No. 1015 of 2017, by which the opposite party no. 2 was granted the privilege of regular bail.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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