

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17493 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -PAROO
District- MUZAFFARPUR

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Ranjeet Kr. Singh @ Ranjeet Kumar S/o Shivjee Singh, R/o
Village- Baijalpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raj Kumar Singh S/o Vishwanath Prasad Singh, R/o Vill.-
Kalyanpur, P.S.- Paroo, Distt.- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 27-06-2018 The O.P. No. 2 was granted bail by the learned Sessions Judge, Muzaffarpur in B.P. No. 129 of 2018 vide order dated 21.02.2018 in connection with Paroo P.S. Case No. 97 of 2017 which was registered under Sections 302/34 and 120 (B) of the Indian Penal Code.

The grounds which have weighed with the Court below in granting bail to O.P. No. 2 is that two of the accused persons who are similarly situated have been granted bail by different Benches of the High Court, Patna. Since the case of O.P. No. 2 was identical to the cases of accused persons who were granted bail by the High Court, Patna, the O.P. No. 2 was also granted bail.



The learned counsel for the petitioner has sought cancellation of bail on the ground that there was a wrong statement in the petition filed by O.P. No. 2 that he was in custody since 02.05.2017 whereas his real date of custody is 12.01.2018.

In order to ascertain the correctness of the allegation, this Court had asked learned counsel for the petitioner to furnish a copy of the bail petition which was filed by O.P. No. 2 before the Court below. The same has been produced. A perusal of the same reflects that date of 02.05.2017 has been written in the aforesaid petition with reference to the date of institution of the case only. There is no wrong statement in the petition. It appears that learned Court below has wrongly stated that O.P. No. 2 is in custody since 02.05.2017.

No good ground has been made out by the petitioner for cancellation of bail of O.P. No. 2.

The petition is dismissed.

(Ashutosh Kumar, J)

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