

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29318 of 2012

Arising Out of PS. Case No.-44 Year-2007 Thana- HARLAKHI District- Madhubani

The State Of Bihar

... .. Petitioner/s

Versus

Arbi Hussain @ Sardar Hussain S/O Akhtar @ Yakuf Mistri R/O Village -
Satghara, P.S. Raj Nagar, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Jha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 05-09-2018

Heard learned counsels for the parties.

The present application has been filed for cancellation of bail granted to O.P. No. 2 vide order dated 27.5.2010 passed in Cr. Misc. No. 19243 of 2010 in connection with Harlakhi P.S. Case No. 44 of 2007 registered for the offences punishable under Section 414 of the IPC and Sections 3 and 4 of the Explosive Substances Act.

Since the O.P. No. 2 was granted bail in view of the fact that the recovery was made from the motorcycle which was claimed by co-accused Rafid Naddaf who was granted bail by a Bench of this Court vide order dated 24.3.2009 passed in Cr. Misc. No. 5157 of 2009, hence this Court is not inclined to interfere in the matter. Moreover, the parameters for grant of bail and its cancellation are quite distinct and there is nothing on record to



suggest that the O.P. No.2 has misused the privilege of bail.
Learned counsel for the petitioner is also not having any
instruction to prosecute the present application.

This application is accordingly dismissed.

(Dinesh Kumar Singh, J)

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