

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39219 of 2017

Arising Out of PS.Case No. -980 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN (MOTIHARI)

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1. Raju Mahto Son of Basudeo Mahto, R/o Village- Pakri, P.S.-
Dumariaghat , District- East Champaran Petitioner/s
Versus

1. The State of Bihar .

2. Shashi Ranjan Pathak Son of Sri Kamlakant Pathak, R/o Village-
Dumariaghat, P.S.- Dumariaghat, District- East Champaran.

..Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv

For the Opposite Party/s : Mr. Sri Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

9 31-10-2018 Heard learned counsel for the parties.

This application is for cancellation of bail granted to
opposite party No.2 on 17.02.2017 in Cr.Misc. No.4027 of
2017 in connection with Complaint Case No.980 of 2015.

After hearing the parties, I am of the view that this is
not a case of suppression of criminal antecedent by opposite
party No.2.

The bail was granted for the reason that the dispute
was regarding non-execution of sale deed after receipt of
consideration money in pursuance of an agreement to sale
between the parties.

Submission is that opposite party No.2 is habitual
offender of act of similar nature with other person also.

The bail once granted cannot be reviewed for the
aforesaid reason. When there is no allegation of misuse of
privilege of bail, there is no merit in this application.



Accordingly, this application stands dismissed.

(Birendra Kumar, J)

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