

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47832 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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Ram Bilash Mandal, Son of Late Ganga Sagar Mandal, Resident of Village-
Pairdominiy mal, P.S.- Sahkund, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kailash Mandal, Son of Late Masudan Mandal,
3. Bablu Mandal, Son of Late Chhedhi Mandal, Both 2 and 3 resident of
Village- Pairdominiyamal, P.S.- Sahkund, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-02-2018

The opposite party Nos. 2 and 3 had approached this Court for grant of regular bail which was rejected by a coordinate Bench of this Court vide order dated 06.06.2017 passed in Cr. Misc. No. 25384 of 2017, taking into account that the Court below had observed while rejecting the prayer of bail of opposite party Nos. 2 and 3 that they may renew the prayer for bail after framing of the charges.

After framing of the charges, the opposite party Nos. 2 and 3 were granted bail vide order dated 22.07.2017 passed by the learned Court below.

A perusal of the order reveals that the period of custody of the opposite party Nos. 2 and 3 were also taken into account for granting bail to them.



Learned counsel for the petitioner seeking cancellation of bail of opposite party Nos. 2 and 3 draws the attention of this Court to an order dated 13.07.2017 passed by the learned Sessions Judge, rejecting the prayer of the petitioner for transferring the case from the Court of learned 2nd Additional District & Sessions Judge, Bhagalpur to any other Court of competent jurisdiction.

The order dated 13.07.2017 reveals that the petitioner, on the activities of the *Pairvikar* of the opposite party Nos. 2 and 3 was of the view that perhaps he would not get justice in the case.

This ground was totally rubbished by the learned Sessions Judge and the prayer for transfer of the case was rejected.

Learned counsel for the petitioner presses the same very ground before this Court for cancellation of bail of opposite party Nos. 2 and 3, which is not acceptable.

This being no ground for cancellation of bail of opposite party Nos. 2 and 3, the petition is dismissed.

(Ashutosh Kumar, J)

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