

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8211 of 2018

Arising Out of PS. Case No.-131 Year-2017 Thana- RAJAULI District- Nawada

Ram Balak Prasad Gupta @ Ram Balak Gupta S/o Bedu Prasad, R/o Village-
Dhamuchak, P.S.- Rajauli, District- Nawada.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rupesh Kumar S/o Ram Bilas Prasad, R/o Village- Dhamuchak, P.S.-
Rajauli, District- Nawada.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Rina Sinha, Advocate
For the Opposite Parties	:	Mr. Suraj Narayan Prasad Sinha, Sr. Advocate Mr. Dheeraj Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 07-03-2018 This criminal miscellaneous has been filed for
cancellation of pre-arrest bail granted to opposite party no.2 by
order dated 09.11.2017 passed in Cr. Misc. 51964 of 2017 on
the ground that petitioner has concealed regarding the death of
injured who died later on and Section 302 of the I.P.C. has also
been added.

Heard the learned counsel for the petitioner as well
as learned counsel for the opposite party no.2 and learned A.P.P.
for the State.

Admittedly against the opposite party no.2 Rupesh
Kumar in the F.I.R. there is no allegation for assaulting the
injured deceased and considering this fact the opposite party



no.2 has been allowed pre-arrest bail, pre-arrest bail is granted under Section 302 I.P.C also and there is no bar. No other ground has been pointed out for cancellation of pre-arrest bail granted to opposite party no.2.

Under the circumstances, finding no merit in this criminal miscellaneous, the same stands dismissed.

(Jitendra Mohan Sharma, J.)

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