

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21345 of 2018**

Arising Out of PS. Case No.-320 Year-2017 Thana- MAHUA District- Vaishali

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Bisheshwar Roy Son of Yadunandan Roy Resident of Village - Kushar Khas,  
P.S. Mahua, District Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Dayal Rai Son of Late Ram Bilash Rai Resident of Village - Salempur,  
P.S. Sahadai Bujurg, District - Vaishali at Hajipur.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Om Prakash Om

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      02-05-2018                      The petitioner seeks cancellation of bail granted to opposite party no. 2 by the learned Additional District and Sessions Judge-I, Vaishali at Hajipur in B.P. No. 83 of 2018 in connection with Mahua P.S. Case No. 320 of 2017 which has been instituted for the offences under Sections 302/34 and 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The nephew of the informant//petitioner was found dead on a road. It was alleged by the petitioner/informant that in the past, the deceased had made his wife Soni Kumari study and get a service in the railways. After Soni Kumari could get service in the railways, she started making moves for leaving the company of the deceased/her husband. The family



members of aforesaid Soni Kumari were threatening the deceased of dire consequences in case he proceeded against Soni Kumari or his family members. It is in this context that the informant suspects the hands of some of the members of family of Soni Kumari including the petitioner.

The order impugned reflects that the informant is not an eye witness to the occurrence and opposite party no. 2 though has been named in the FIR but does not stand in any special relation to Soni Kumari i.e. the wife of the deceased.

Considering the aforesaid facts as also taking into account that the petitioner had remained in custody since 01.01.2018 on mere suspicion, he was granted bail on 12.03.2018.

This Court does not find any perversity in the order or any ground on which the aforesaid order could be interfered with.

The petition is thus dismissed.

**(Ashutosh Kumar, J)**

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