

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55676 of 2018

Arising Out of PS. Case No.-94 Year-2017 Thana- PIRI BAZAR District- Lakhisarai

Shankar Mahto, S/o Late Bateshwar Mahto, resident of Village- Medani Chauki, P.O.- Amarpur, P.S.- Medani Chauki, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Raj Kamal Nirala, S/o Krishna Deo Prasad Singh @ Hare Ram, resident of Village- Tarbanna, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate.

For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner and counsel appearing on behalf of the State.

Petitioner has filed the present application for cancellation of bail granted to the petitioner in Crl. Misc. No.34384 of 2018. Learned counsel for the petitioner admitted that there is no misrepresentation or concealment of fact by the petitioner while obtaining order of bail in Crl. Misc. No.34384 of 2018. He also admits that there is no abuse of the privilege of bail. Petitioner has not been misusing the privilege of bail after grant of bail.

In view of the above the Court does not find any merit in the present application for granting indulgence in the matter of cancellation of bail.



Learned counsel for the petitioner apprehends that opposite party may cause delay in disposal of the trial and may terrorize the witnesses and influence the trial. This apprehension is at present misconceived in the event petitioner of this case finds actual misuse he may approach the Court below and filed application against O.P. No.2 before the trial court if causing delay in disposal of the trial found or terrorizing the witnesses. Liberty shall be available to the petitioner to approach the Court below for cancellation of bail bonds of O.P. No.2 and Court below is expected to take appropriate action on filing of such petition of cancellation of bail in accordance with law.

With the aforesaid the present application stands disposed of.

(Anil Kumar Upadhyay, J)

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