

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5019 of 2019

Arising Out of PS. Case No.-39 Year-2018 Thana- BELA District- Sitamarhi

Rajesh Kumar Raju Son of Prof. Laxmi Narain Thakur Branch Mangager
Bathuahi Branch, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Singh Yadav Son of Dukha Rai Resident of Village - Malahi Ward
No. -10, P.S.-Bela, District-Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushlendra Kumar Sinha
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 14-08-2019 Heard the parties.

This application has been filed for cancellation of the bail granted to the Opposite Party No.2 vide order 12.7.2018 passed in Cr. Misc. No.40281 of 2018 .

Grounds for cancellation of the bail is that the petitioner has suppressed the fact that he has criminal antecedent as he is accused in several cases .

On the other hand the learned counsel for the O.P.no.2 was noticed and on notice he has appeared and a counter affidavit has been filed stating that in all the cases except one he has been acquitted by the learned court below and he has annexed the judgment also and in one case he is on bail



and as such intentionally he has not suppressed the fact rather as he has been acquitted in most of the cases and in such a situation, he could not mention the fact in this petition. It has also been submitted that there is no case of misuse of the privilege of bail against the petitioner.

It further appears that the case is under Section 353 and other Sections of the IPC and considering the fact that the petitioner has also made a complaint against the Opposite Party No.2 (present petitioner) and considering the same, anticipatory bail has been granted to the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, the justice demands no interference of this Court.

Accordingly, this application for cancellation of the bail is dismissed.

(Vinod Kumar Sinha, J)

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