

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27538 of 2019

Arising Out of PS. Case No.-301 Year-2017 Thana- RAJPUR District- Buxar

RAJU KUMAR RAI, Son of Prem Shankar Rai, Resident of Village- Sarenja,
P.S.- Rajpur, District- Buxar.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Shiv Prakash Rai, Son of Late Jhinguri Rai @ Nageshwar Rai, Resident of Village- Sarenja, P.S.- Rajpur, District- Buxar, presently residing at Gali No. 2, Dhobi Ghat, Charitravan, P.S.- Buxar Town, District- Buxar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Rana Ishwar Chandra
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-07-2019 This application has been filed for cancellation of anticipatory bail granted to opposite party No.2 vide order dated 25.6.2018 in Cr.Misc.No. 24284 of 2018.

The ground for cancellation is that at the time of submission before this Court charge sheet was not submitted, rather charge sheet has been submitted on 16.7.2018 and no recommendation has been made for initiation of proceedings under Sections 182 and 211 IPC and further that he has also suppressed that he is accused in one more case.

On the other hand, learned counsel for opposite party No.2 has submitted that on perusal of the case diary it appears that recommendation has been made for initiation of



proceedings under Sections 182 and 211 IPC, as such he made such submission and so far criminal antecedent is concerned, the case has already been disposed of earlier and as such he had not mentioned the same.

From perusal of the record it appears that the Cr.Misc.No. 24284 of 2018 was disposed of with direction to the petitioner to surrender before the court below, who will verify the submission of petitioner and thereafter petitioner shall be released on bail, as such there was direction to the court below also to verify the above submission and on verification the petitioner was released on bail.

In view of above circumstances, I find that laches does not appear to be intentional, as such this application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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