

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30166 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- PARSA District- Saran

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Dinesh Singh @ Dinesh Kumar Singh, aged about 45 years(Male), Son of Jagdish Singh, Resident of Village - Marar, P.S.- Parsa, District – Saran, at present residing at Mohalla- Veer Kuar Singh Colony, P.S.- Magadh Medical College, Gaya, Distyric - Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Niraj Kumar @ Niraj Kumar Singh, Son of Birendra Singh, Resident of Village - Pachawrar, P.S.- Taraiya, District - Saran (Chapra)

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Raj Shekhar, Adv.
		Mr. Anuj Kumar Shrivastava, Adv.
For the Opposite Party/s :		Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2019 Heard Sri Raj Shekhar, learned counsel, assisted by Sri Anuj Kumar Shrivastava, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The present petition has been filed under Section 439(2) of the Code of Criminal Procedure on behalf of the complainant for cancellation of order dated 05.03.2019 passed in Cr.Misc.No.63041 of 2018, whereby this Court had extended the privilege of anticipatory bail to one Niraj Kumar @ Niraj Kumar Singh(Opp.Party no.2 in the present petition).

In the complaint petition, it was alleged that Opp.Party no.2 was employee of the complainant/petitioner and



in that capacity, he had misappropriated huge amount of the complainant/petitioner.

On going through the order dated 05.03.2019, it is evident that the Court had granted privilege of anticipatory bail to Opp.Party no.2 on the ground that the complainant (the petitioner in the present petition) was granted adequate time to bring on record the document to show that Opp.Party no.2 was employee of the complainant or not. Besides this, on merit, it was a fit case for extending the privilege of anticipatory bail. Thereafter, anticipatory bail petition was allowed.

On going through the material available on record, I do not find any ground for recalling my earlier order.

The petition stands dismissed.

(Rakesh Kumar, J.)

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