

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37692 of 2019

Arising Out of PS. Case No.-373 Year-2018 Thana- SITAMARHI District- Sitamarhi

DR. PUSHKAL Son of Late Bharat Prasad Resident of Bhabadepur Bunglow,
Hospital Road, Litchi Bagan, P.S.- Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Chandan Kumar @ Chandan Pratap Singh Son of Late Surendra Pratap Singh Resident of Village - Dumari, P.S.- Majarganj, District - Sitamarhi, at present residing at Dumari Sadan Pratap Nagar, P.S.- Mehsoll, District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 16-10-2019 Heard parties.

This application has been filed for cancellation of bail granted to Opposite Party No. 2 by this court by order dated 02.11.2018 passed in Criminal Miscellaneous No. 66340 of 2018 arising out of Sitamarhi P.S. Case No. 373 of 2018 registered under Section 302/120B read with Section 34 of the Indian Penal Code.

FIR was instituted against unknown in which parents of petitioner were murdered on 08.04.2018. There is land dispute between Late. Bharat Prasad and Shatrughan Prasad and many litigations are pending between them and allegation against Chandan Singh Opposite Party No. 2 is dealing with the



land on behest of accused Shatrughan Prasad. Previously wife of Shatrughan Prasad namely Anita Jaiswal was also murdered in 2015. Bail was granted to Opposite Party No. 2 as he was implicated in this case on the basis of confessional statement of co-accused who were already granted bail by this Court. Opposite Party No.2 has no criminal antecedent. Bail was granted with certain conditions that Opposite Party No. 2 would appear and co-operate in the trial and shall be properly represented on each and every date fixed by court and if Opposite Party No. 2 tampers with the evidence or witnesses, prosecution shall move for cancellation of his bail.

After hearing both the parties as well as learned counsel for the State, this Court does not find any ground to cancel the bail granted to Opposite Party No.2, as such present petition is dismissed.

(S. Kumar, J)

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