

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74671 of 2018

Arising Out of PS. Case No.-217 Year-2013 Thana- Bidupur District- Vaishali

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Shyam Bihari Prasad, son of Late Dwarika Prasad, Resident of Village-
Rahimur, P.S.- Biddupur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ravi Shanker Singh @ Ravi Shankar Singh, Son of Suryadev Singh @
Suryadeo Singh, Resident of Village- Rahimpur, P.S.- Biddupur, District-
Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 02-01-2019 Heard learned counsels for the petitioner and the

State.

Petitioner seeks cancellation of anticipatory bail
granted to opposite party no. 2 vide order dated 07.07.2017
passed in Criminal Misc. No. 29386 of 2017.

Learned counsel appearing for the petitioner
submits that opposite party no. 2 had obtained bail on
misleading facts. It is further submitted that opposite party no. 2
suppressed the fact that this is a case related with land dispute. It
is true that the land was registered to the accused but money was
not paid. The accused persons are criminals and they want to
forcibly capture his house.



Learned counsel for the State submits that the only allegation against the opposite party no. 2 is that on the instruction of Shila Devi, he tried to catch hold of the Informant/ present petitioner but could not succeed, and as such from the allegations levelled in the First Information Report no case under Section 436 of the I.P.C. is made out against the opposite party no. 2. He, therefore, supports the order of bail.

Considering the submissions advanced on behalf of the parties and the materials available on record, this court does not find any force in the submissions of the petitioner. The prayer for cancellation of the order granting bail to the opposite party no. 2 is accordingly rejected.

This application is dismissed.

(Arvind Srivastava, J)

mcv/-Sanjeev

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