

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31552 of 2018

Arising Out of PS. Case No.-453 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Md. Naiem Rain @ Md. Naimuddin Rain Son of Late Md. Ismail Rain
Resident of Ward No. 18, Bhabhua, Police Station - Bhabhua, District -
Kaimur Bhabhua.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nasim Khan Son of Late Masood Khan Resident of Village - Dumari, Police
Station - Durgawati, District - Kaimur Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kali Prasanna Dubey
For the Opposite Party/s : Mr.Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 21-08-2019 Petitioner seeks cancellation of bail granted to O.P.No. 2

by learned Sessions Judge, Kaimur at Bhabua by order dated

22.09.2017 in A.B.P.No. 658 of 2017.

Learned counsel for the petitioner submits that O.P.No. 2

has obtained bail from the court of learned Sessions Judge on

the basis of forged document inasmuch as O.P.No. 2, along with

his bail application, had annexed Annexure-2 which is a Sanha

allegedly lodged by the O.P.No. 2 before the Durgawati Police

Station relating to loss of cheque bearing no. 25753. Learned

counsel submits that under the RTI Act, the petitioner has

obtained a copy of Sanha which is entirely different from

Annexure-2 which was attached by the O.P.No. 2 along with his



application. He further submits that petitioner has got criminal antecedent but without verifying the fact, learned court below has granted bail to the O.P.No. 2.

After having heard learned counsel for the parties and taking into consideration the operative portion of the bail order passed by the learned Sessions Judge, it appears that learned Sessions Judge has not relied upon Annexure-2 while granting bail and the same has not been made basis for grant of bail by him, as such I am not inclined to interfere with the impugned order granting bail dated 22.09.2017. Accordingly, the application stands dismissed.

(Anil Kumar Sinha, J)

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