

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47080 of 2019

Arising Out of PS. Case No.-2720 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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NEERAJ KUMAR Son of Sri Krishnanandan Prasad Resident of Kachi Talab,
Saristabad, Near Durga Mandir, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Jai Prakash Yadav Son of Late Ramchandra Yadav Resident of Village-
Abdalpur, P.S.- Varsaliganj, District- Nawada.
3. Rabindra Yadav Son of Indra Deo Yadav Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
4. Vinod Yadav @ Vinod Kumar Son of Late Kameshwar Yadav Resident of
Village- Abdalpur, P.S.- Varsaliganj, District- Nawada.
5. Jagia Devi Wife of Late Baijal Prasad Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
6. Karu Yadav Son of Late Chottu Yadav Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
7. Jai Ram Yadav Son of Late Ram Chandra Yadav Resident of Village-
Abdalpur, P.S.- Varsaliganj, District- Nawada.
8. Rukmini Devi Wife of Shiv Yadav and daughter of Jai Prakash Yadav
Resident of Village- Abdalpur, P.S.- Varsaliganj, District- Nawada.
9. Pintu Yadav Son of Late Shiv Yadav Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
10. Subash Yadav Son of Late Shiv Yadav Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
11. Arjun Yadav Son of Late Ganpat Yadav Resident of Village- Abdalpur, P.S.-
Varsaliganj, District- Nawada.
12. Bisundeo Yadav Son of Late Parmeshwar Yadav Resident of Village-
Abdalpur, P.S.- Varsaliganj, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-08-2019 This application has been filed for cancellation of

anticipatory bail granted to opposite party Nos. 2 to 12 vide



order dated 28.3.2019 passed in ABP No. 7959 of 2018 by learned Additional Sessions Judge-XII, Patna.

Submission of learned counsel for the petitioner is that FIR itself disclosed that by confining the father of the complainant and administering intoxicant to him the accused persons got the sale deed executed from him and further earlier also a case has been lodged against them being Gardanibagh P.S.Case No. 457 of 2018 but learned Additional Sessions Judge has granted bail to them without considering the above fact and on that ground petitioner has prayed for cancellation of bail bonds of opposite party Nos. 2 to 12.

Heard learned APP and perused the impugned order from which it appears that learned Additional Sessions Judge on considering the fact that opposite party Nos. 2 to 12 are purchasers and witnesses in that case and the complainant in his statement on S.A. has stated that coming to know about the same he rang the accused persons and demanded the actual cost and though the complainant is claiming the sale deed dated 24.1.2018 and 25.1.2018 as forged but he has not stated anything with regard to sale deed dated 7.2.2018 and also considering the statement on S.A. of the complainant in paragraph-14 that while his father was kept confined he has not



informed the police or any court and also taking into consideration the fact that opposite party Nos. 2 to 12 are accused in Gardanibagh P.S.Case No. 457 of 2018 he has granted bail to opposite party Nos. 2 to 12, as such on merit learned Additional Sessions Judge has allowed anticipatory bail petition of opposite party Nos. 2 to 12 and also considering criminal antecedent, as such I find no merit in this application.

It is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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