

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50026 of 2019

Arising Out of PS. Case No.-300 Year-2018 Thana- SHASTRINAGAR District- Patna

MD. JAVED KHAN @ MONU Son of Mohiuddin Khan R/o Flat no. 401,
GMK Appartment, Raja Bazar, Samanpura, P.S.- Shastrinagar, Distt.- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tabrej Khan @ Tamo Son of Mohiuddin Khan R/o Samanpura, P.S.-
Shastrinagar, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

This application, under Section 439(2) of the Code of Criminal Procedure, 1973, has been filed for cancellation of pre-arrest bail, as granted to the opposite party no.2 in connection with Shastri Nagar P.S. Case No.300 of 2018 vide order dated 10.06.2019 passed in Anticipatory Bail Petition No.3481 of 2019 by the court of the Sessions Judge, Patna.

Learned counsel for the petitioner submits that, in fact, the opposite party no.2 is also accused in Shastri Nagar P.S. Case No.234 of 1990 registered under Section 25A/26 of the Arms Act but in the Anticipatory Bail Petition No.3481 of 2019,



it has been stated that he has no criminal antecedent.

From perusal of the impugned order, it appears that the opposite party no.2 was allowed pre-arrest bail, taking into consideration that there is case and counter case between the parties and there is general and omnibus allegation against the opposite party no.2 and others to cause injury to the informant.

I find no reason to cancel the pre-arrest bail as granted to the opposite party no.2 in connection with Shastri Nagar P.S. Case No.300 of 2018 vide order dated 10.06.2019 passed in Anticipatory Bail Petition No.3481 of 2019 by the court of the Sessions Judge, Patna.

Accordingly, this application stands dismissed.

(Rajendra Kumar Mishra, J)

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