

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24662 of 2018

Arising Out of PS. Case No.-311 Year-2013 Thana- SHEKHPURA District- Sheikhpura

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Basanti Devi Wife of Late Manik Yadav, Resident of Village- Pathlapar, P.S.-
Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

1. State of Bihar
2. Ranjit Yadav, Son of Sukhdeo Yadav, Resident of Village- Pathlapar, P.S.-
Sheikhpura, District- Sheikhpura, Present Resident of C/o Baleshwar Yadav,
Son of Late Mahabir Yadav, Resident of Village- Dihra (Pathnere) District-
Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 30-01-2019 Heard both sides.

The petitioner has filed this petition for cancellation
of bail granted to the opposite party no.2 Ranjit Yadav on
18.11.2016 in Cr. Misc. No.31645 of 2016.

Learned counsel for the petitioner (informant) submits
that the opposite party no.2 has concealed the fact that he was
an accused in Sheikhpura P.S. Case No.23 of 2016 registered
under different sections of the Arms Act. It is submitted that
after coming out from the custody the opposite party no.2
threatened the petitioner (informant) of dire consequence, if the
informant would depose against the opposite party no.2 Ranjit
Yadav and for that an F.I.R. is also lodged.



Learned counsel for the opposite party no.2, on the other hand, submits that the he has already mentioned in the bail petition about Sheikhpura P.S. Case No.23 of 2016 but due to inadvertence wrong section has been mentioned. The opposite party no.2 Ranjit Yadav never threatened the petitioner (informant) and a false case has been lodged against him.

Taking into the consideration the fact that from perusal of record it appears that opposite party no.2 Ranjit Yadav was earlier granted bail as all other accused persons similarly situated were granted bail. There is no finding to this fact that the Ranjit Yadav ever threatened the informant The case lodged by the informant is still pending before the Investigating Officer and the Investigating Officer has not come to a definite finding about the opposite party no.2 Ranjit Yadav that he made any attempt to tamper with the evidence. Thus, I find no case is made out for cancellation of bail of the opposite party no.2 Ranjit Yadav.

Accordingly, this petition is dismissed.

(Prabhat Kumar Jha, J)

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