

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58494 of 2018

Arising Out of PS. Case No.-306 Year-2017 Thana- DULHIN BAZAR District- Patna

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Tok Narayan Sharma S/o Late Siya Ram Das @ Bhusali Mistri, R/o Vill.-
Lala Bhadsara, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Amar Prakash Yadav @ Amar Prakash S/o Late Chaitu Yadav, R/o Vill.-
Lala Bhadsara, P.S.- Dulhin Bazar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi, Adv.

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

7 06-02-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The application has been filed for cancellation of

bail granted to opposite party No.2 vide order dated

25.04.2018 in Cr. Misc. No. 24783 of 2018 in connection with

Dulhin Bazar No. 306 of 2017.

Learned counsel appearing for the petitioner

submits that altogether three cases had been pending

against opposite party No.2 at the time of filing of Cr. Misc.

No. 24783 of 2018 in which opposite party No.2 had been

granted bail but he chosen not to disclose the aforesaid fact

in the said bail application and mislead the Court for the



purpose of obtaining bail. The details of criminal antecedent have been mentioned in paragraph 3 of the application. Therefore, on the ground of suppression of fact with regard to antecedent of opposite party No.2, the bail of the petitioner may be cancelled.

Learned counsel appearing for opposite party No.2 has submitted that although opposite party No.2 had been made accused in other three cases but in all cases, the police after investigation has found the case false and has not submitted chargesheet.

In view of the rival submission of parties and in view of the suppression of fact, this Court finds it a fit ground to proceed with cancellation of bail of opposite party No.2. Accordingly, the prayer for cancellation of bail of opposite party No.2 is allowed and the bail granted vide order dated 25.04.2018 in Cr. Misc. No. 24783 of 2018 to opposite party No. 2 stands cancelled.

(Arvind Srivastava, J)

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