

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6884 of 2020

Arising Out of PS. Case No.-375 Year-2019 Thana- JOKIHAT District- Araria

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MOHAMMAD ZAHIR UDDIN @ MD. ZAHIR UDDIN Son of Seikh Manglu Resident of village - Chakai, Ward No. -02, Police Station - Jokihat, District - Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Gayasuddin Son of Riyazuddin @ Riaz Uddin Resident of village - Chakai, Ward No. -02, Police Station - Jokihat, District - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana
For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner as well as learned APP for the State.

This application has been filed for cancellation of bail granted to the Opposite Party No.2 vide order dated 10.12.2019 passed by learned Sessions Judge, Araria in BP No.1240 of 2019 arising out of Jokihat P.S.Case No.375 of 2019 registered for the offences punishable under Section 307 and other allied Sections of the IPC.

The ground for cancellation of bail is that the learned Sessions Judge, Araria has granted bail to the Opposite Party No.2 without considering the nature of injury caused to the injured and though earlier the prayer for anticipatory bail to the



other co-accused was rejected.

Heard learned APP and perused the order, it appears that there is case and counter case between the parties.

Considering the fact that there is case and counter case between the parties and there is no repetition of blow and also considering the fact that there is no misuse of privilege of bail, I am not inclined to interfere with the granting bail to the Opposite Party No.2. Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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