

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25622 of 2019

Arising Out of PS. Case No.-5 Year-2015 Thana- PATNA CITY CHOWK District- Patna

SMT. SUNITA DEVI W/o Shri Satya Narayan Tatwa Resident of Ranipur,
Kali Asthan, P.S.- Mehndiganj, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rajesh Kumar @ Guddan S/o Naresh Sao Resident of Nalapar Chhapal Shop, P.S.- Chowk, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-02-2020 Heard the parties.

This application is for cancellation of bail granted to opposite party No.2 by order dated 11.05.2017 in Cr. Misc. No.20715 of 2017. While granting bail this Court had observed as follows:

“The petitioner was a witness on the agreement to sale between the complainant and co-accused. Similarly situated co-accused, Kishor Kumar, has already been allowed anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No.7382 of 2017.”

Cancellation has been sought for on the ground that



consideration money was paid in the account of the petitioner.

Hence, the petitioner was the real cheater.

I fail to understand that if opposite party No.2 was not the title holder or authorized person from the title holder by a duly executed power of attorney why the money was paid in the account of opposite party No.2. For every foolish act of the informant/petitioner herein, the law cannot come forward to protect the interest of the petitioner.

Hence, this application has got no merit, accordingly, it stands dismissed.

(Birendra Kumar, J)

Nitesh/-

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