

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45883 of 2018

Arising Out of PS. Case No.-140 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Marghoob Alam @ Md. Marghoob Alam @ Maragub Alam S/o Md. Samrul Haque @ Samrul Haque, R/o Vill.- Shikarpur, P.S.- Balia Belone Kadwa, District- Katihar, at present Advocate at Civil Court, Katihar, P.S. District- Katihar.

... .. Petitioner/s

Versus

1. State of Bihar
2. Md. Zikrul S/o Md. Warish Kawal, R/o Vill.- Shikarpur, P.S.- Balia Belone, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Qumrul Hoda
For the Opposite Party/s : Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

10 19-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

This application is filed for cancellation of anticipatory bail of Opposite Party No. 2 granted by this Court vide Cr. Misc. No. 26324 of 2017 on 21.06.2017 in connection with Complaint Case No. 140 of 2017 for the offence under sections 341, 323, 384 of the I.P.C.

Submission of learned counsel for the petitioner is that the Opposite Party no. 2 has obtained bail by submitting false and fabricated documents, as contained in supplementary affidavit of the main bail application. Neither the said medical ground has been taken before the Trial Court nor in the main



bail petition. Further submission is that the opposite party has criminal antecedent, which has also been suppressed by the learned counsel for the opposite party no.2.

In spite of valid service of notice on 25.09.2019, no one appears on behalf of the opposite party no. 2.

Having considered the facts and circumstances of the case and the submissions advanced on behalf of the parties, this application is allowed. Accordingly, the anticipatory bail granted to the Opposite party No. 2, Md. Zikrul on 21.06.2017 vide Cr. Misc. No. 26324 of 2017, is, hereby, cancelled.

(Arvind Srivastava, J)

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