

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53908 of 2018

Arising Out of PS. Case No.-213 Year-2016 Thana- FATUA District- Patna

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Mina Devi Wife of Sri Ganesh Mochi, resident of Village- Khokhana, P.S.-
Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mantu Kumar Yadav, Son of Sri Mahandra Prasad, Resident of Village-
Naraina, P.S.- Fatuha, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Prasad

For the Opposite Party/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-02-2020 This application has been filed for cancellation of

bail granted to opposite party no. 2 by learned Special Judge,

SC/ST Act, Patna vide order dated 14.05.2018 passed in Special

Case No. 98/16 in connection with Fatuha P.S. Case No.

213/2016, registered for offences punishable under Sections

376, 376(D), 506/34 of the Indian Penal Code and Section 3 /4

of SC/ST (Prevention of Atrocities), Act.

Grounds taken by the petitioner for cancellation of

bail of opposite party no. 2 is that opposite party no. 2 by has

suppressed the fact with regard to his criminal antecedent and

after his release, he is also threatening the petitioner, as such, he

has come for cancellation of bail of opposite party no. 2.



Heard learned A.P.P. and perused the impugned order, from which, it appears that learned Special Judge after considering that a title suit is going on between the parties and a murder case is also pending and also after considering the materials available in case diary has granted bail to the opposite party no. 2 and further there is no consideration with respect to criminal antecedent of the opposite party no. 2. It further appears that there is no case of misuse of privilege of bail and tampering with the evidence and although, a submission has been made that opposite party no. 2 is threatening the petitioner but no substantive case has been filed in this regard nor there is any report of the police or the concerned court below regarding the submission of threatening.

Considering the facts and circumstances, I find no merit in this application, same is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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