

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59802 of 2018

Arising Out of PS. Case No.-91 Year-2016 Thana- MANJHAGARH District- Gopalganj

Manish Kumar Gupta son of Late Verma Sah @ Brahma Sah resident of
Village- Nawada Parsauni, Police Station- Uchkagaon, District Gopalganj

... .. Petitioner/s

Versus

1. State Of Bihar
2. Dinesh Sah son of Late Bhuwal Sah resident of Village- Parshurampur,
Police Station- Manjhagarh, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-02-2020 Heard the parties.

This application has been filed for cancellation of bail granted to O.P.no.2, vide order dated 18.7.2018 passed by Addl. District and Sessions Judge I, Gopalganj in connection with B.P.no.493 of 2018.

Ground for cancellation of bail is that the learned Addl. Sessions Judge has relied on the statement of the girl made before the Executive Magistrate in para nos. 27 and 28 of the case dairy and in para no.26 postmortem report has been mentioned and that shows that the deceased was not in condition to make any statement.

Heard learned APP and perused the impugned order.



Learned Addl. Sessions Judge considering the statement of the deceased before the Executive Magistrate in which she has stated that fire caught from the stove and her minor daughter has also sustained burn injury and she has not stated about the hands of the O.P.no.2 in the occurrence, has granted bail to the O.P.no.2 There is no allegation of misuse of privilege of bail or tempering with the evidence or any chance of absconding of the O.P.no.2.

Considering the above, I find no merit in this application.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

