

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78256 of 2019

Arising Out of PS. Case No.-2599 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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NOOR HASAN Son of Md. Salim Resident of Village - Chunauti Kuan, P.O.
and P.S.- Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Prabhu Paswan Son of Late Fakira Paswan Resident of Village - Nohsa, P.O.
and P.S.- Phulwari Sharif, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Prasad

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-02-2020 Heard the parties.

This application has been filed for cancellation of bail granted to O.P.no.2 vide order dated 26.3.2019 passed by Addl. Sessions Judge XVI, Patna in ABP No.642 of 2019 in connection with Complaint Case No.2599© of 2017 for the offence under Sections 322,420, 406 and 468 read with Section 34 of the Indian Penal Code, by which the anticipatory bail was granted to O.P.no.2.

Submission of the learned counsel for the petitioner is that several other accused persons have entered into the compromise and returned the amount but the petitioner is not returning the amount, as such he has prayed for cancellation of



the bail granted to the petitioner.

Heard learned APP and perused the impugned order granting bail, from which it appears that the learned court below considering the fact that there is no material available on the record to show that who has taken money from the complainant and there is general and omnibus allegation has granted privilege of anticipatory bail to the O.P.no.2 and merely on the ground that he has entered into the compromise and not returning the amount is not the ground for cancellation of the bail. There is also no allegation of misuse of the privilege of bail or tampering with the evidence or there is no chance of his absconding.

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

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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