

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19599 of 2015

Arising Out of PS. Case No.-219 Year-2014 Thana- JAGDISHPUR District- Bhagalpur

Indradeo Yadav Son of Late Kuleshwar Yadav. Resident of village -
Kalanarayanpur, P.S.- Jagdishpur, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Natu Yadav. Son of Dhaku Yadav.
3. Dhanjee Yadav @ Dhananjay Yadav. Son of Dhaku Yadav.
4. Billo Yadav. Son of Late Deghar Yadav.
5. Patuli Yadav. Son of Nareshi Yadav.
6. Jaggan Yadav @ Jagan Yadav. Son of Late Deghar Yadav. All resident of village - Kolanarayan pur, P.S.- Jagdishpur, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Singh
For the Opposite Party/s : Mr.Sanjay Kr. Sharma, App

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 04-03-2020 Heard learned counsels for the petitioner, opposite party nos. 2 to 6 and the State.

The present application has been filed for cancellation of bail granted to opposite party nos. 2 to 6, vide order dated 17.03.2015, passed in Cr. Misc. No. 10939 of 2015 in connection with Jagdishpur P.S. Case No. 219 of 2014, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the IPC and Section 27 of the Arms Act.

It appears that opposite party nos. 2 to 6 were granted



bail on the ground that specific accusation of assault was not alleged against them, however, learned counsel for the petitioner submits that at the time of granting bail, opposite party no. 6 was also made accused in Jagdishpur P.S. Case No.59 of 2014, registered on 17.03.2014, for the offences punishable under Sections 341, 323, 385, 307, 379, 448, 504 and 506/34 of the IPC and Section 3(X) of the SC/ST (Prevention of Atrocities) Act, whereas opposite party nos. 2 to 6 were also made accused in Jagdishpur P.S. Case No. 317 of 2014, registered on 27.10.2014, under Sections 147, 148, 149, 341, 323, 385 and 504 of the IPC but this fact was suppressed by the accused persons, at the time of hearing of bail petition.

Learned counsel for opposite party nos. 2 to 6 submits that while granting bail, the deponent was not aware about the criminal antecedent of accused persons, however, the criminal antecedent of opposite party nos. 2 to 6 was not a ground for consideration of their bail.

Considering the fact that the fact of criminal antecedent of opposite party nos. 2 to 6 were not considered as ground while granting them bail and there is nothing on record to suggest that the O.P. Nos. 2 to 6 have misused the privilege of bail or involved in similar nature of offence after grant of bail,



moreover, the parameter for grant of bail and its cancellation is quite different, this Court is not inclined to interfere.

Accordingly, the present application is dismissed.

However, it is expected from the learned Court below to expedite the trial.

(Dinesh Kumar Singh, J)

Amrendra/-

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