

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79811 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- PHULWARISHARIF District- Patna

MD. DANISH S/o Late Naseem Ahamd Resident of Village- Khalilpura, P.S.-
Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Manawar Alam @ Chhotu Babu @ Manawar Alam s/o Sayed Alam
Marhum Resident of - Jamal Apartment, Flat No. 201, Near Imrat-Y-Saria,
P.S.- Phulwarisharif, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-01-2020 Though the matter has been listed with certain office notes, it is being disposed of considering the nature of relief which the petitioner has sought.

The petitioner is informant of Fulwarisharif P.S. Case No. 116 of 2019 registered for the offence punishable under Sections 406, 467, 468, 469 and 420 of the Indian Penal Code.

It is alleged in the FIR that the accused of the said criminal case had received consideration money of Rs. 12 lakhs from the informant against purchase of a shop in a market place. After having received the amount, the accused had refused to execute the sale-deed. On an application filed by the accused Md. Manawar Alam for grant of anticipatory bail, giving rise to



Cr. Misc. No. 47623 of 2019, this Court granted him the said privilege by an order dated 31.07.2019. This application has been filed for cancellation of anticipatory bail so granted.

Learned counsel appearing on behalf of the petitioner has submitted that the accused has misled this Court and suppressing material facts has obtained the impugned order. He has submitted that in course of investigation materials have surfaced to demonstrate that the accused has cheated the petitioner and misappropriated the amount received from the petitioner.

Be that as it may, there is nothing to suggest that either the accused-opposite party no. 2 has misused the privilege of bail or he is tampering with the evidence. No ground for cancellation of bail is made out.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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