

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86276 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- AMDABAD District- Katihar

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MOHAMMAD AJMAL Son of Mohammad Ainuddin Resident of Village - Balua, Gopalpur Sij Tola P.S.- Amdabad, District - Katihar Bihar, Presently working as Tempo Driver Residing at B-130 Shiv Park, Khanpur P.S.- Khanpur District - South Delhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Rafique S/O Late Abdul Rauf Resident of Village - Balua, P.S.- Amdabad, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudha Chandra
For the Opposite Party/s : Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-02-2020 This application has been filed for cancellation of the bail granted to the O.P.no.2 vide order dated 23.10.2019 by the learned Sessions Judge , Katihar in B.P.No.662 of 2019 in Amdabad P.S.Case No.34 of 2018 under Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

Grounds for cancellation of the bail of O.P.no.2 is that he is one of the assailants and he along with the other accused persons assaulted brutally on the leg of the deceased causing several injury and he absconded for 1 ½ years but he has been granted bail by the learned Session Judge, as such he prayed for cancellation of his bail bond.

Heard learned AP and on perusal of the FIR it appears



that there is allegation against the O.P.no.2 and other two accused persons of assaulting on head and apart from that it appears from the impugned order that the learned Session Judge considering the fact that other accused persons have been granted bail by this Court in Cr. Misc. No.3056 of 2019 , Cr. Misc. No.17785 of 2019 and Cr. Misc. no.15471 of 2019 has been granted bail to th O.P.no.2 There is no allegation of misuse of the privilege of the bail or tampering with evidence .

In view of the above facts, I am not inclined to interfere with the order granting bail to the O.P.no.2.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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