

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50938 of 2021

Arising Out of PS. Case No.-182 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

VINOD KUMAR CHAUDHARY S/O LATE SARYUG CHAUDHARY R/o village and P.O.- Pirapur, P.S.- Jandaha, Distt.- Vaishali, at present residing at Moh- Ganji Lane, Lal Darwaja, P.S.- Kotwali, Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Kumar Singh S/o Harihar Singh R/o village- Bishnupur-Basantpur @ Suhai, P.S.- Sadar Thana, Distt.- Vaishali
3. Punam Singh @ Punam Devi W/o Pawan Kumar Singh R/o village- Bishnupur-Basantpur @ Suhai, P.S.- Sadar Thana, Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-11-2021 Heard learned counsel for the appellant and the State.

Petitioner seeks cancellation of pre-arrest bail granted to opposite party no.2 and 3 by order dated 19.2.2021, passed in Cr.Misc.No. 24547/2020.

Learned counsel for the petitioner submits that the opposite party nos. 2 and 3 happen to be father-in-law and mother-in-law of the deceased and they lived with the deceased in the joint family house at the time of occurrence but they suppressed this material fact and submitted before the Court that they live separately and have no concern with the affairs of the deceased.



Learned counsel for the State opposes the prayer of the petitioner. He submits that no chit of document has been brought on record to show that opposite parties were not living separately with the deceased at the time of occurrence.

It appears that the petitioner has made bald statement and has not shown any document for corroborating his statement that opposite parties were living with the deceased in the joint family house at the relevant time. Moreover, their case has been considered and order has been passed on the merits of accusation levelled against them in the FIR.

In view of the aforesaid facts, I do not find that the appellant has made out a good ground for cancellation of bail of opposite party nos.2 and 3.

Instant appeal is dismissed accordingly.

(Prabhat Kumar Singh, J)

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