IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4457 of 2021

Arising Out of PS. Case No.-284 Year-2021 Thana- RAJAOLI District- Nawada

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BABITA DEVI W/o Late Ram Yatan Ram @ Late Ramjantan Ram Resident of Village- Gariba, Police Station- Rajauli, District- Nawada.

... ... Appellant/s

Versus

1. The State of Bihar Bihar
2. KRISHNADEO SINGH Son of Late Ramprit Ram Resident of Village- Gariba, P.S.- Rajauli, District- Nawada.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Sanjeev Ranjan
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2021 Heard learned counsel for the appellant and the State.

Appellant seeks cancellation of regular bail granted to opposite party no.2 by order dated 17.8.2021, passed in Cr.Appeal (SJ) No. 3248 of 2021 on the ground that he has suppressed the material fact that he has no criminal antecedent, whereas opposite party was also accused in Nawada Police Station Case No. 186 of 2014 at the time of passing of the aforesaid order.

Learned counsel for the State opposes the prayer of the appellant submitting that from perusal of order dated 17.8.2021 it appears that this Court while allowing bail to opposite party no.2 had only considered merits of accusation

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alleged against him and had not considered his criminal antecedent while allowing him regular bail. He submits that at best this may be a case of material concealment of facts on the part of opposite party no.2. It has been alleged in the FIR that on the instigation of opposite party no.2, other accused persons named in the FIR caused fire arms injury to the informant's (appellant) husband who died during treatment.

In view of the rival submissions of the parties, I do not find that the appellant has made out a good ground for cancellation of bail of opposite party no.2.

Instant appeal is dismissed accordingly.

(Prabhat Kumar Singh, J)

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