

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69257 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- PARSA District- Saran

RAHUL KUMAR Son of Ram Udar Singh Resident of Village - Sobhe Parsa,
P.S.- Parsa, Distt.- Saran at Chapra ... Petitioner

Versus

1. The State of Bihar har
2. Chandan Kumar Son of Vijay Singh Resident of Village - Sobhe Parsa, P.S.-
Parsa, Distt.- Saran at Chapra ... Opposite Parties

Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Adv.
For the Opposite Parties : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2021 Heard Mr. Nawal Kishore Singh, learned Advocate
for the petitioner and Mr. Jagdhar Prasad, learned Additional
Public Prosecutor for the State.

The petitioner seeks cancellation of bail granted to
opposite party no. 2 vide order dated 13.08.2021 passed in Cr.
Misc. No. 1163 of 2021. It has been urged on behalf of the
petitioner that a wrong statement was made by opposite party
no. 2 that five persons who have been implicated in this case
have received only simple injuries. It has been submitted that
one Chandan Kumar, one of the victims of the case, had
received grievous injury.

From the perusal of the order 13.08.2021, it appears
that the opposite party no. 2 was granted bail on the ground that
he was alleged to have assaulted Ritesh Kumar who has suffered
no injury. True it is that there was a submission on behalf of
opposite party no. 2 that all the five persons had received simple
injuries but such statement was erroneous to the extent that one



of such victims had received one grievous injury.

Be that as it may, so far as the case of opposite party no. 2 is concerned, he is not the author of the grievous injury on Chandan Kumar. The fact of the matter is, which has not been disputed by the learned counsel for the petitioner, that the opposite party no. 2 is only said to have assaulted Ritesh Kumar who has not received any injury of any kind. The accusation of the opposite party no. 2 giving threats to the petitioner is also not supported by any evidence in that regard.

It would be appropriate for the petitioner to approach the Court below in the event of any threat given by opposite party no. 2 or any other accused person.

No good ground has been made out for the present for cancellation of bail granted to opposite party no. 2.

The petition has no merits and the same is therefore dismissed.

(Ashutosh Kumar, J)

Shamshad/-

U		T	
---	--	---	--

