

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58509 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- HARNAUT District- Nalanda

MAHIPAL SINGH SON OF LATE BASUDEO SINGH RESIDENT OF
VILLAGE- BASTI, P.S.- HARNAUT, DISTRICT- NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. PAPPU SINGH SON OF JAWAHAR SINGH RESIDENT OF VILLAGE-
BASTI, P.S.- HARNAUT, DISTRICT- NALANDA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Informant	:	Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-01-2022 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner, Mr. Anil Kumar Singh, learned counsel for the informant and Mr. Awadhesh Kumar Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Harnaut P.S. Case No. 10 of 2020 registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

The petitioner has filed the present application for cancellation of bail granted to the Opposite Party No. 2 in Cr. Misc. 35378 of 2020.



Learned counsel for the petitioner submits that after the Opposite Party No. 2 was released on bail, he started threatening the petitioner and his family members and on 28.05.2021, he arrived at the house of the petitioner along with other accused persons and resorted to firing. Learned counsel further submits that the Opposite party No. 2 assaulted the grand-son of the petitioner and threatened not to depose as a witness and compromise the criminal case lodged by the petitioner for murder of his son bearing Harnaut P.S. Case No. 10 of 2020 in which the Opposite party No. 2 is one of the accused. He further submits that Harnaut P.S. Case No. 218 of 2021 has been registered in this regard.

On the other hand, learned counsel for the Opposite Party No. 2 submits that the Opposite Party No.2 has not committed any act as alleged by the petitioner/informant in Harnaut P.S. Case No. 218 of 2021 and a false case has been lodged by the petitioner in order to get the bail application of the Opposite Party No. 2 cancelled. He further submits that the petitioner is a dreaded criminal and so many cases are pending against him. He is in habit of filing cancellation of bail inasmuch as earlier also an application for cancelling the bail of co-accused Dhiraj Kumar @ Lala was filed by the petitioner in



this Court vide Cr. Misc. 53664 of 2020 which was dismissed by a co-ordinate Bench of this Court.

Learned counsel for the Opposite Party No. 2 further submits that wife of the deceased son of the petitioner was a candidate for the post of Mukhiya and she had contested the election and the Opposite Party No. 2 and others were pressurized by the petitioner to cast their vote in favour of his wife which was not agreed by the Opposite party No. 2 and his family members, for which, the petitioner has lodged a false case against the Opposite Party No. 2 alleging that the petitioner is being threatened by Opposite Party No. 2 for entering into compromise in the criminal case. He further submits that earlier Harnaut P.S. Case No. 202 of 2021 has been lodged by the Police against the petitioner and others in which the Opposite Party No. 2 has also been made accused for resorting to firing and pelting stone by both sides. He next submits that the petitioner has already been provided Police Bodyguard by Superintendent of Police, Nalanda and he cannot be threatened by Opposite party No. 2. In reply learned counsel for the petitioner submits that the Bodyguard provided to the petitioner has already been withdrawn.

Having heard learned counsel for the parties and from



perusal of the averments made in the application, the counter affidavit filed by the Opposite Party No. 2 and both the parties have got political rivalry, I do not find any cogent ground for cancellation of bail granted to the Opposite Party No. 2.

Accordingly, this application stands dismissed.

(Anil Kumar Sinha, J)

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