

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21099 of 2023**

Arising Out of PS. Case No.-1688 Year-2018 Thana- GAYA COMPLAINT CASE District- Gaya

UMESH KUMAR SAHNI SON OF LATE RAVINDRA KUMAR SAHNI  
R/O VILLAGE- BHUSUNDA, P.S.- MUFFASIL, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mantu Kumar Son Of Ashok Saw R/O Village- Mahoor (Nawada), P.S.-  
Buniyadganj, District- Gaya
3. Chanddan Kumar Son Of Ashok Saw R/O Village- Mahoor (Nawada), P.S.-  
Buniyadganj, District- Gaya
4. Geeta Devi Wife Of Ashok Saw R/O Village- Mahoor (Nawada), P.S.-  
Buniyadganj, District- Gaya

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar  
For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

11      22-09-2023                      This application has been filed for cancellation of  
  
bail granted to the opposite party nos. 2, 3 and 4 vide order  
  
dated 06.02.2023 passed in Cr. Misc. No. 58238 of 2021.

Learned counsel for the petitioner-complainant  
  
submits that the opposite party nos. 2, 3 and 4 have obtained the  
  
anticipatory bail by misleading this Hon'ble Court as it was  
  
urged on their behalf that the alleged amount has been taken by  
  
them in lieu of purchase of land but there is no evidence  
  
showing transaction of land rather there aforesaid amount was  
  
taken in connection with marriage of daughter of the petitioner  
  
with Mantu Kumar. It was further argued that the amount which  
  
had been taken had already been returned to the complainant,



but more than three lakhs amount is still pending with the opposite party nos. 2 to 4. From the document enclosed as Annexure-3 obtained from the higher authorities of opposite party no. 2, it appears that the opposite party no. 2 has admitted the facts and circumstances of the marriage as well as transaction of money.

Learned counsel for the opposite party nos. 2 to 4 submits that the amount was taken for the purpose of purchase of land.

Considering the submissions advanced on behalf of the parties and the facts and circumstances of the case, this court finds that the opposite party nos. 2 to 4 have obtained bail from this Court by placing misleading facts. The factum of marriage is very well established from the explanation submitted by the accused- Mantu Kumar to the higher authority. The prayer for cancellation of bail granted to the opposite party nos. 2 to 4 is allowed. The bail granted to the opposite party nos. 2 to 4 is, hereby, cancelled.

The application stands allowed.

**(Arvind Srivastava, J)**

mcv/-

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