

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22903 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- PATAHI District- East Champaran

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MUNNA KUMAR Son of Sri Dukhan Mahto Resident of Village - Padumker,
P.S.- Patahi, Distt - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deep Narayan Sahani Son of Jiyalal Sahani Resident of Village - Bada
Bariyarpur, Malahtoli, Ward No. 12, P.S.- Chhatauni, Distt - East
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

9 14-03-2023 Heard learned counsels for the petitioner, the State
and the opposite party no. 2.

This application is filed for cancellation of provisional
bail of Opposite Party No. 2 granted by a Co-ordinate Bench of
this Court vide order dated 06.08.2018 passed in Cr. Appeal (SJ)
No. 2489 of 2018 in connection with Patahi P.S. Case No. 42 of
2018 for the offence under sections 323/406/420/504/506 of
I.P.C. and Section 3(1)(x) of the Scheduled Castes and
Scheduled Tribes (prevention of atrocities) Act.

Submission of learned counsel for the petitioner is
that the opposite party no. 2/appellant was granted provisional
bail on 06.08.2018 by a Co-ordinate Bench of this Court vide



Cr. Appeal (SJ) No. 2489 of 2018 with condition that if the complainant would express desire before the learned Court-below for getting sale deed executed from the appellant, the appellant shall execute the sale deed within two months after receiving the remaining consideration money or shall refund the aforesaid consideration money of rupees twelve lacs within six months through account transfer/bank draft. Further he submits that the opposite party no. 2 Deep Narayan Sahani did not pay/return the consideration money even after expiry of six months. The Opposite Party No. 2 is disobeying the Court's order.

Having considered the above facts and circumstances of the case and the submissions advanced on behalf of both the parties, the application for cancellation of bail is allowed. Accordingly, the provisional bail granted to the Opposite party No. 2/appellant Deep Narayan Sahani vide order dated 06.08.2018 passed in Cr. Appeal (SJ) No. 2489 of 2018 is, hereby, cancelled.

(Arvind Srivastava, J)

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