

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44517 of 2023

Arising Out of PS. Case No.-59 Year-2022 Thana- DHAMDAHA District- Purnia

The State of Bihar through Superintendent of Police, Purnea. Bihar

... .. Petitioner/s

Versus

GULO MANDAL @ GULABCHAND MANDAL S/O KOKAY MANDAL
R/O Village- Mokma, P.S- Dhamdaha, Distt.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar No. 1

For the Opposite Party/s : Mr. Amit Kumar Anand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
counsel for the opposite party.

2. The present application has been preferred on behalf of the State to cancel the anticipatory bail of the petitioner, who was granted bail vide order dated 08.12.2022 passed in Cr. Misc. No.50095 of 2022 by this Court.

3. Mr. Dilip Kumar No.1, learned APP for the State submits that while hearing the prayer for bail of one co-accused, namely, Upendra Mandal of this case, it came to the light that a country made katta (firearms) and one empty cartridge of 8MMKF was recovered from the house of opposite party but on behalf of the petitioner it was submitted that no incriminating article has been recovered from the house of the opposite party and thus the opposite party had suppressed the material fact



from the Court. Hence, the order dated 08.12.2022 passed in Cr. Misc. No.50095 of 2022 may be recalled and bail bond of the opposite party shall be liable to be cancelled.

4. After hearing both sides and perusing the case records, it appears that the opposite party was granted anticipatory bail on the wrong submissions made on his behalf and/or by suppressing the material fact. On this ground alone, the anticipatory bail granted to him vide order dated 08.12.2022 passed in Cr. Misc. No.50095 of 2022 is hereby recalled and his bail bond is cancelled.

5. Accordingly, this application is allowed and the learned Court below and the Police are directed to take effective step for compliance of this order.

(Anjani Kumar Sharan, J)

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