

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56464 of 2022

Arising Out of PS. Case No.-607 Year-2021 Thana- HILSA District- Nalanda

Ashok Kumar @ Ashok Singh @ Ashok Sharma S/O Late Ramawatar Sharma Resident of Village- Karod Nagar (Dawaul), P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ajay Sharma S/O Late Ambika Sharma Resident of Village- Nakhaur, P.S. and District- Banka.
3. Sangam Kumar S/O Ajay Sharma Resident of Village- Nakhaur, P.S. and District- Banka.
4. Suman Kumar S/O Ajay Kumar Resident of Village- Nakhaur, P.S. and District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 22-03-2023 This application has been filed under Section 439(2) of the Code of Criminal Procedure for cancellation of anticipatory bail granted to the opposite party nos. 1 to 4 vide order dated 05.09.2022 passed in Cr. Misc. No. 22740 of 2022 in connection with Hilsa (Nalanda) PS Case No. 607 of 2021 registered under Sections 379, 354(A), 308, 323 and 341 of the Indian Penal Code and section 27 of the Arms Act.

It is submitted on behalf of petitioner that opposite party nos. 2 to 4 have obtained anticipatory bail by suppressing their criminal antecedents and nine criminal cases are pending



against them.

Counsel for opposite party submitted that the antecedents of the opposite party nos. 2 to 4 are only the consequence of land dispute. Both parties are close relative and Gotias. The opposite parties have not suppressed their criminal antecedents, but the same has only been missed out due to lack of communication between the deponent and opposite parties. OP no. 2 is an Ex-army man, OP No. 3 works in private company and OP no. 4 has recently joined government job.

Considering the aforesaid fact, the anticipatory bail granted to opposite party nos. 2 to 4 vide order 05.09.2022 are cancelled. The opposite party nos. 2 to 4 are directed to surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order failing which, the court below is directed to take all measures including coercive step for their appearance.

(Prabhat Kumar Singh, J)

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