

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68257 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- BRAHMPUR District- Buxar

Lila Devi @ Lilawati Devi, Gender-Female, aged about 54 years, wife of Satyanarayan Pandey @ Satanarayan Pandey, resident of village- Jaypur, P.S.- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Ayodhya Pandey, aged about 66 years, Male, son of late Jagdish Pandey, resident of village- Jaypur, P.S.- Brahmpur, District- Buxar, at present Brahmpur Chaurasta, P.S.- Brahmpur, District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Ataul Haque, Advocate Mr. Chandra Mohan Singh, Advocate
For the Opposite Party/s	:	Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. This application has been filed for cancellation of bail granted to the opposite party no. 2 in Cr. Misc. No. 41504 of 2022 by this Court vide order dated 14.07.2023.

3. Learned counsel for the petitioner submits that the opposite party no. 2 after grant of bail and upon releasing from judicial custody, on 19.07.2023, surrounded the witnesses of the case i.e., Shesh Nath Pandey and Nirmal Devi and threatened them of dire consequences if they will depose in the case. Learned counsel further submits that after the said incident the petitioner, Lila Devi, filed an application before the SHO,



Brahampur, and when no action was taken by the local police the petitioner filed application before the Superintendent of Police, Buxar. Thereafter, an informatory application was filed in the Court of the Chief Judicial Magistrate, Buxar, on 21.08.2023.

4. Having heard learned counsel for the parties, the Court put a specific query to learned counsel for the petitioner as to whether any complaint was filed by the witnesses of the case, who have been threatened, before any competent authority upon which learned counsel for the petitioner replied that no such complaint has been filed by any of the witnesses.

5. Admittedly, the petitioner was not present when the alleged threatening was given by the opposite party no. 2 to the aforesaid witnesses. No complaint was filed by any of the witnesses regarding such threatening by the opposite party no. 2.

6. In the facts and circumstances of the case, this Court is not inclined to entertain this application for cancellation of bail.

7. Accordingly, the application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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