

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69115 of 2022

Arising Out of PS. Case No.-215 Year-2019 Thana- BIDUPUR District- Vaishali

UPENDRA RAY S/O LATE NATHUNI RAI Resident of Village- Nanahak Chak, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. UMESH RAI S/O UPENDRA RAI Resident of Village- Nanahak Chak, P.S.- Bidupur, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2023 This is an application for cancellation of anticipatory bail granted to the opposite party No. 2 by the Hon'ble Court *vide* order dated 16.08.2022 passed in Cr. Misc. No. 12535 of 2022 arising out of Bidupur Police Case No. 215 of 2019 dated 01.06.2019 registered under Sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that from bear perusal of the injury report, it is clear that the committed offence comes under Section 326 of the Indian Penal Code but doctor has opined about nature of injury as simple under influence of accused persons. Hence, the anticipatory bail granted to opposite party No. 2 be cancelled.



However, learned counsel for the State opposes the application and submits that considering injury to be simple in nature, bail has been granted to the opposite party No. 2. There was no suppression or concealment of fact. Counsel for the petitioner has not brought on record any paper to substantiate the alleged assertion.

Considering the aforesaid facts and circumstances of the case, this application stands rejected.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

