

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15348 of 2024

Arising Out of PS. Case No.-227 Year-2022 Thana- PIRPAINTI District- Bhagalpur

ARJUN CHOUDHARY S/o Late Baleshwar Choudhary R/o Village-
Mohanpur, Tilakdhari Tola, P.S.-Bakharpur O.P., District-Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. GAUTAM SHARMA Son of Late Sunder Sharma R/o Village-Mohanpur,
Tilakdhari Tola, P.S.-Bakharpur O.P., District-Bhagalpur

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application has been filed for cancellation of regular bail granted to Opposite Party No. 2, in connection with Pirpanti (Bakharpur) P.S. Case No. 227 of 2022, vide order dated 31.07.2023 passed by this Court in Cr. Misc. No. 45200 of 2023.

3. The main ground for cancellation of bail taken by the petitioner is that the Opposite Party No. 2 and his three relatives(other accused persons) after securing bail threatened the informant and his family members to withdraw his case from the court concerned, regarding which, the informant (petitioner) sent an application on 24.10.2023 to the S.H.O and



higher police officials through Indian Post. Learned counsel has placed reliance upon the judgments of the Hon'ble Supreme Court passed in the case of Nityanand Rai vs. State of Bihar reported in (2005) 4 SCC 178 and in the case of Central Bureau of Investigation vs. T. Gangi Reddy passed in Cr. Appeal No. 37 of 2023.

4. After filing the instant case, this Court called for a report from the Superintendent of Police, Bhagalpur and in compliance of the said direction, a report has been received which shows that no any application showing the above threatening, was received at the police station concerned and as per the S.D.P.O. Kahalgaon, Bhagalpur, the petitioner did not make any complain when he was enquired about the conduct of the Opposite Party No. 2. The said report goes against the allegation levelled by the petitioner.

5. The petitioner has failed to bring out any cogent reason or material regarding the alleged misuse of the privilege of bail by Opposite Party No. 2 after getting the relief of bail. Accordingly, this Court finds no merit in this Criminal Miscellaneous Petition, so it stands dismissed.

(Shailendra Singh, J)

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