

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51860 of 2021**

Arising Out of PS. Case No.-113 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

Rajesh Kumar Sudhanshu, Son of Late Bhim Paswan Resident of Mohalla-
Mayaganj, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupesh Kumar @ Sanjay Kumar Son of Sri Ramratii Paswan Resident of
Village- Parghari, P.S.- Rajoun, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vivekanand Vivek, Advocate
For the Opposite Party/s :	Mrs. Asha Devi, APP
	Mrs. Anita Kumari Singh, Advocate
	Mr. Paritosh Parimal, Advocate

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 13-11-2025 Heard learned counsel for the petitioner, learned
counsel for Opposite Party No. 2 and learned A.P.P. for the
State.

2. The present Criminal Miscellaneous petition has
been filed for cancellation of anticipatory bail granted to O.P.
No. 2, vide order dated 10.06.2021 passed in A.B.P. No. 900 of
2021 by the learned 9th Additional District & Sessions Judge,
Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case
No. 113 of 2019 registered for the offences under Sections 341,
323, 307, 379, 354(B), 504/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
Opposite Party No. 2 has concealed the fact that earlier his
anticipatory bail was rejected and the said order was not



annexed with the bail petition of O.P. No. 2. He further submits that informant was not noticed by the Court.

4. Learned counsel for O.P. No. 2 submits that in the impugned order the Court has categorically stated that earlier anticipatory bail of O.P. No. 2 was rejected and he had not concealed any material before the Court concerned. It is further submitted that earlier during investigation anticipatory bail of O.P. No. 2 was rejected, however, after investigation O.P. No. 2 was not sent up for trial, but learned Court concerned has taken cognizance against him and in the facts and circumstances of the case O.P. No. 2 filed second anticipatory bail which was decided on merit and O.P. No. 2 was granted anticipatory bail. He is co-operating in the trial and there is no ground for cancellation of bail of O.P. No. 2.

5. Considering the facts and circumstances of the case and submissions of learned counsels for the parties, no case is made out for cancellation of bail of O.P. No. 2. Accordingly, the present petition for cancellation of bail of O.P. No. 2 is dismissed.

(Sunil Dutta Mishra, J.)

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