

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51097 of 2025

Arising Out of PS. Case No.-43 Year-2022 Thana- MORKAHI District- Khagaria

Rajesh Kumar Son of Sonelal Das @ Sonelal Ram Resident Of Rasaunk Ps-
Morkahi District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Chandan Kumar son of Ramesh Kumar Raman Resident Of Rasaunk Ps-
Morkahi District- Khagaria
3. Kundan Kumar Son of Ramesh Kumar Raman Resident Of Rasaunk Ps-
Morkahi District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 14-11-2025 1. Heard the parties.

2. The petitioner has filed the present application for cancellation of anticipatory bail granted to the opposite party nos. 2 & 3 vide Cr. Misc. No. 27000 / 2023 by order dated 12.07.2023 in connection with Morkahi P.S. Case No. 43 / 2022 registered for the offence under Sections 447, 341, 323, 307, 379, 504, 506, 324 / 34 of the I.P.C. on the ground that after grant of bail by this court they have misused the privilege of bail and has again committed offence under Section 307 and other allied sections of the I.P.C. for which Morkahi P.S. Case No. 165 of 2023 was instituted against them.



3. Learned counsel for the petitioner submits that during hearing of the bail application filed on behalf of the opposite party nos. 2 & 3 it was argued by learned counsel for the petitioners that they are 28 years and 19 years of age and are students studying in 10 plus 2 and 10th and undertook not to repeat similar offence in future.

4. On the other hand, learned counsel for the opposite party nos. 2 & 3 argued that this court taking into consideration the fact that both the parties are co-sharers having previous land dispute and injuries caused to the informant and his father were simple in nature granted anticipatory bail to the opposite party nos. 2 & 3. The opposite party nos. 2 & 3 have not misused the privilege of bail but there is long standing land dispute between the parties and the parties are at loggerheads and repeatedly the passage of the opposite party nos. 2 & 3 is being obstructed by the petitioner's side due to which an occurrence has taken place on 10.12.2023 for which a fresh F.I.R. has been lodged from the side of the petitioner bearing Morkahi P.S. Case No. 165 / 2023 in which opposite party nos. 2 & 3 have been granted regular bail by this court and at present they are staying in Delhi.

5. Considering the submissions advanced by the parties and taking into account the fact that opposite party nos. 2 & 3 are



students and there is long standing land dispute between the parties for which case and counter case has been filed, I do not find any reason to cancel the anticipatory bail granted to opposite party nos. 2 & 3 by this court. Accordingly, this application is dismissed.

(Anil Kumar Sinha, J)

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