

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61960 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- SILAO District- Nalanda

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Ravina Devi W/O- Late Sanjay Kumar Singh R/O- Village- Chandi Mau,
P.O.- Chandi, P.S.- Silao, Dist- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhotu Kumar S/O- Dayanand Singh R/O- Village- Chandi Mau P.S.- Silao,
Dist- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Vinay Pd. Singh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 16-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. This Cr. Misc. petition has been filed to cancel the
bail of the O.P. No. 2 which was granted by learned Additional
Sessions Judge-I, Nalanda (hereinafter referred to as “Trial
Court”) *vide* order dated 02.06.2023 in B.P. No. 625 of 2023,
arising out of Silao P.S. Case No. 30 of 2023.

3. Learned counsel for the petitioner submits that O.P.
No. 2 has been granted regular bail by the learned Trial Court
concerned despite the fact that two young persons died by the
electricity current and the wire was kept by the O.P. No. 2. He
further submits that the impugned order passed by the learned



Trial Court is perverse, illegal and unsustainable in the eyes of law. Also, the O.P. No. 2, after grant of bail *vide* impugned order, threatened the petitioner and his other family members of dire consequences. Learned counsel, therefore, prayed that the bail granted to the O.P. No. 2 shall be cancelled and he shall be taken into custody forthwith.

4. Learned A.P.P. for the State submitted that the learned Trial Court, by considering all facts and circumstances, passed the bail order on merit. It is further submitted that the order of granting bail to O.P. No. 2 is not unjustified or illegal or perverse which requires interference by this Court at this stage. Therefore, no case is made out by the petitioner to cancel the bail of the O.P. No. 2.

5. Law is well-settled that cancellation of bail requires a demonstrable instance of misuse of liberty, such as tampering with the evidence, threatening witnesses, or obstructing the investigation, none of which has been substantiated in the present case. In absence any cogent, proof of such abuse, the settled principle of law mandates that the bail order ought not be interfered with. Moreover, it is well settled that if the accused makes out a *prima facie* case for his bail, depending upon the fact situation, period of incarceration and other materials on



record, the liberty granted to him cannot be said as illegal or
perverse.

6. Considering the facts and circumstances of the case
and submissions made by learned counsel for the parties, no
case is made out for cancellation of bail of O.P. No. 2 at this
stage. Accordingly, the present Cr. Misc. petition stands
dismissed.

(Sunil Dutta Mishra, J)

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