

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72126 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Shambhu Rai, Son of Late Rajgri Rai @ Rajgrihi Rai, Resident of Village-
Jamira, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Niwas Ray @ Lakhthu Ray Son of Shiv Nath Ray @ sidhnath Ray
Resident of Village- Jamira, P.S. Ara Muffasil, District- Bhojpur
3. Shiv Nath Ray @ Sidhnath Ray Son of Late Darbari Ray Resident of
Village- Jamira, P.S. Ara Muffasil, District- Bhojpur
4. Dhamu Ray @ Sanjeet Kumar Ray @ Dhanu Ray son of Krishna Ray @
Krishna Yadav Resident of Village- Jamira, P.S. Ara Muffasil, District-
Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ojaswee Kumari, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

11 19-03-2025

Heard learned counsel for the parties.

2. This application has been filed for cancellation of anticipatory bail granted to opposite party nos. 2 to 4 vide order dated 19.07.2024 passed by this Court in Criminal Miscellaneous No. 27830 of 2024.

3. Earlier notice was issued to O.P. No. 4 who appeared and filed counter-affidavit.

4. Learned counsel for the petitioner submits that opposite party nos. 2 to 4 obtained anticipatory bail on suppression of material facts. By way of filing supplementary affidavit to Criminal Miscellaneous No. 27830 of 2024, opposite party nos. 2



to 4 disclosed that they have two criminal antecedents. Learned counsel for the petitioner raised objection that one more criminal history bearing Chandi P.S. Case No. 128 of 2022 against O.P. No. 4 was not disclosed in the said supplementary affidavit. Learned counsel for the petitioner further submits that opposite party nos. 2 to 4 have purposely concealed this fact before this Court.

5. On the other hand, learned counsel for the opposite party no 4 submits that opposite party no 4 had no knowledge about Chandi P.S. Case No. 128 of 2022, which was lodged on 16.05.2022. It is next submitted that the father's name of accused Dhamu Yadav has not been disclosed in Chandi P.S. Case No. 128 of 2022. No notice under Section 41 Cr.P.C. has been received by him, due to which O.P. No. 4 had no knowledge about the said case.

6. Considering the aforesaid facts and circumstances of the case and averments made by the O.P. No. 4, I do not find that any ground for cancellation of bail granted to O.P. No. 2 to 4 vide order dated 19.07.2024 passed in Criminal Miscellaneous No. 27830 of 2024 is made out.

7. Accordingly, the application stands dismissed.

(Khatim Reza, J)

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