

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65543 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- PASRAHA District- Khagaria

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Sampat Singh, Son of Sri Upendra Singh, Resident of Mohalla- Satishnagar,
Ward No.-5, P.S.- Pasraha, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bashishth Singh Son of Sri Arun Singh Resident of Mohalla- Satish Nagar,
Ward No.-5, P.S.- Pasraha, District- Khagaria
3. Arun Singh Son of Late Ram Narayan Singh Resident of Mohalla- Satish
Nagar, Ward No.-5, P.S.- Pasraha, District- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar 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. The present Criminal Miscellaneous petition has
been filed to cancel the order dated 15.07.2022 passed in A.B.P.
No. 542 of 2022 by the learned Sessions Judge, Khagaria and
order dated 28.07.2022 granting bail to O.P. Nos. 2 & 3 passed
in G.R. No. 767 of 2022, arising out of Pasraha P.S. Case No. 53
of 2022 by the learned A.C.J.M. IV, Khagaria.

3. Learned counsel for the petitioner submits that the
petitioner is aggrieved by the observation made by the learned
Sessions Judge, Khagaria, vide order dated 15.07.2022 passed in
A.B.P. No. 542 of 2022 that *prima facie* case is not made out of



Section 307 of the I.P.C. He submits that at the stage of granting bail a detailed examination of evidence and elaborate documentation of merit of the case need not be undertaken and in this regard, he has referred a judgment of Hon'ble Supreme Court rendered in the case of ***Kalyan Chandra Sarkar Vs. Rajesh Ranjan*** reported in ***(2004) 7 SCC 528***.

4. Learned A.P.P. for the State submits that law is well settled that observation made in the bail order shall not affect the merit of the trial. Bail Court findings are meant only for deciding bail. Accordingly, there is no valid ground made out for cancellation of bail granted to O.P. Nos. 2 & 3 at this stage.

5. It is well settled that at the stage of granting bail a detailed examination of evidence and elaborate documentation of merit of the case not be undertaken.

6. Considering the facts and circumstances of the case and submissions made by the learned counsel for the petitioner and learned A.P.P. for the State, it appears that the Court concerned has granted bail on the material available on record and it cannot be said that the said order is illegal or perverse. There is no allegation of any misconduct by O.P. No. 2 and 3 after the bail order. No ground is made out for cancellation of bail of O.P. Nos. 2 & 3 at this stage. Accordingly, this case is



dismissed.

(Sunil Dutta Mishra, J.)

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