

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71333 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- ALAMGANJ District- Patna

Daya Nand Singh Son of Bhagwat Prasad Singh R/O-Bhooth Nath Road,
Behind Hari Medical Hall, Near Aman Apartment, Shanti Niketan Colony,
PS- Agam Kuan, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Vinod Ballav, Son of Late Jasvir Ballav, R/O-Belwarganj Sendhwa
Toli, P.S.- Alamganj, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Gaurav Kumar, Advocate
For the State	:	Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-11-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no.2.

2. The present Cr. Misc. Application has been filed
for cancellation of anticipatory bail granted to the opposite party
no. 2 by the learned ADJ-II, Patna City *vide* order dated
05.08.2024 passed in A.B.P. No. 564 of 2024.

3. Learned counsel for the petitioner submits that the
learned court concerned granted anticipatory bail to O.P. No. 2.
vide order dated 05.08.2024 passed in A.B.P. No. 564 of 2024
ignoring that there is serious allegation against O.P. No. 2 that
he along with other accused persons forcefully got the house of



petitioner registered in his name vide sale deed without giving any money or taking him to Registrar. Accordingly, the bail granted to the opposite party no. 2 is liable to be cancelled.

4. Learned counsel for the opposite party no. 2 submits that the anticipatory bail has been granted on merit and the condition was also imposed on O.P. No. 2 that he shall remain physically present on every date before the learned trial court and if he fails to appear physically on two consecutive dates without proper explanation, the trial court will be at liberty to cancel his bail bond. Hence, no case is made out by the petitioner against opposite party no.2. He further submits that O.P. No. 2 has not violated any condition imposed by the learned trial court and there is no merit in the petition for cancellation of bail of the O.P. No. 2. He further submits that opposite party no. 2 is cooperating in the trial.

5. Learned A.P.P. for the State submits that since the bail was granted to the opposite party no.2 with conditions on merit and the trial is in progress, the learned Trial Court may be directed to conclude the trial expeditiously. Further, he submits that the bail order dated 05.08.2024 is neither illegal nor perverse and requires no interference by this Court. He further submits that there is no case of any misuse of liberty granted to



the O.P. No. 2.

6. 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 of any cogent proof of such abuse, the settled principle of law mandates that the bail order ought not be interfered with.

7. Having heard the learned counsel for the parties and considering the facts and circumstances of the case, in my view, no case is made out to cancel the bail granted to the opposite party no.2 at this stage. Accordingly, the present Cr. Misc. Application stands dismissed.

8. The learned Trial Court is directed to take steps for early disposal of the trial in connection with Alamganj P.S. Case No. 66 of 2024 and both the parties shall cooperate in the expeditious disposal of the trial.

(Sunil Dutta Mishra, J)

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