

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69661 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- BENIPATTI District- Madhubani

Govind Kumar Mishra S/o Dharmendra Mohan Mishra Resident of village-
Baisath Chanpura, PS- Benipatti, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gagan Mishra S/o Radha Kant Mishra R/o vill - Simri, P.S.- Bisfi, Distt.-
Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Pandey, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2025 Heard Mr. Bishwajeet Pandey, learned counsel for

the petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The present application has been filed for
cancellation of bail of the Opposite Party No. 2, who has been
made accused in Benipatti P.S. Case No. 127 of 2024 under
Section 420/34 of the I.P.C.

3. Learned counsel for the petitioner submits that the
Opposite Party No. 2 has been granted bail by this Court but
before granting the bail to the Opposite Party No. 2, the
petitioner who is the informant in the present case has not been
heard.



4. It appears from the order dated 10.07.2025 passed in Cr. Misc. No. 73688 of 2024 that “Despite vaild service of notice upon opposite party No.2, no one appears on behalf of opposite party No.2.”. Apart from that it has been transpired from the order dated 10.07.2025 that the informant (petitioner) has not produced any paper along with F.I.R, which suggest that the Opposite No. 2 has received amount to the tune of Rs. 15,64,489/- (Fifteen lacs sixty four thousand four hundred eighty nine) and the petitioner has been granted bail in Cr. Misc. No. 73688 of 2024 on the ground that he is ready to return admitted amount to the tune of Rs. 1,04,330/- (One lac four thousand three hundred and thirty) and rest of the amount as claimed by the informant (petitioner) shall be the subject matter of the trial.

5. Considering the aforesaid facts and circumstances, no case is made out for cancellation of bail of the Opposite Party No. 2.

6. Accordingly, the present application stands dismissed.

(Rajesh Kumar Verma, J)

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