

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77463 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Basant Kumar Nayak Son of Late Rajeshwar Nayak Resident of - Dalsingh Sarai, P.S.- Samastipur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suraj Nayak Son of Late Satyendra Nayak Resident of - Dalsingh Sarai, P.S.- Samastipur, District - Samastipur at present resident of - Chitranjan Avenue Kolkata, Tarachand Dutta Street, Chitranjan, West Bengal.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahesh Narayan Parbat, Sr. Advocate Mr. Ved Prakash Srivastava, Advocate Mr. Praveen Prabhakar, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-11-2025 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

2. This Cr. Misc. application has been filed for cancellation of regular bail granted to O.P. No.2 vide order dated 03.06.2023 passed by learned A.C.J.M. 1st, Dalsinghsarai, Samastipur in connection with Dalsinghsarai P.S. Case No.47 of 2022.

3. Learned senior counsel for the petitioner submits that O.P. No.2 has sold the land of the petitioner and the case has been lodged under Sections 420, 467, 468, 471 and 472/34 I.P.C. He further submits that the petitioner had produced many



documents to show that O.P. No.2 is involved in the act of forgery but without considering those documents, the learned court concerned has granted regular bail to the O.P. No.2. He also submits that O.P. No.2 is not cooperating in the trial court. On these grounds, it is submitted that the bail of O.P. No.2 may be cancelled.

4. Learned A.P.P. for the State submits that the bail of O.P. No.2 vide order dated 03.06.2023 was granted on merit.

5. From perusal of order dated 03.06.2023 passed by learned court concerned, it appears that after considering the facts and circumstances of the case and also considering that the co-accused Dilip Kumar was granted anticipatory bail and also considering the period of custody granted bail with condition that he will appear on each and every date fixed in the trial court along with other conditions.

6. Having heard learned senior counsel for the petitioner, learned A.P.P. for the State and considering the material on record, this Court is not inclined to cancel the bail of O.P. No.2 at this stage. Accordingly, this criminal miscellaneous application is dismissed.

7. It is clarified that if O.P. No.2 does not comply the conditions stated in order dated 03.06.2023, the learned trial



court may take appropriate steps in accordance with law.

8. Accordingly, criminal miscellaneous application stands disposed of.

(Sunil Dutta Mishra, J)

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