

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8793 of 2020

Arising Out of PS. Case No.-597 Year-2019 Thana- KADAMKUAN District- Patna

Shastri Kumar Son Of Late Awadesh Prasad Yadav Resident Of Village -
Lakho Chak, P.S.- Kiul, District - Lakhisarai, At Present At Flat No. 402, B. P.
Complex, Mohalla Kadamkuan, P.S.- Kadamkuan, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nadir Qaiser Son of Md. Abdullah Qaisar Resident of Mohalla - Shahganj,
Mahendru, P.S.- Sultanganj, District - Patna.
3. Jimmy Son of Md. Abdullah Qaisar Resident of Mohalla - Shahganj,
Mahendru, P.S.- Sultanganj, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate Mr. Shakti Suman Kumar
For the Opposite Party/s :		Mr. Akbar Ali Mr. Syed Masleh Uddin Ashraf Mr. Rana Hason Mr. Homa Yunus

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioner, learned APP

for the State and learned Senior Counsel appearing on behalf of

Opposite Party Nos. 2 and 3.

2. The present application has been filed for
cancellation of the anticipatory bail granted to Opposite Party
Nos. 2 and 3 *vide* order dated 16.12.2019 passed by the learned
4th Additional District & Sessions Judge, Patna, in Anticipatory
Bail Petition No. 7358 of 2019, arising out of Kadam Kuan P.S.
Case No. 597 of 2019, registered for the offences punishable



under Sections 307, 120B, 324 and 326 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel appearing on behalf of the petitioner submits that Opposite Party Nos. 2 and 3 obtained the privilege of anticipatory bail by suppressing their criminal antecedents, therefore, it is prayed that the anticipatory bail granted to Opposite Party Nos. 2 & 3 be cancelled.

4. This Court has considered the submissions advanced on behalf of the parties and has perused the materials available on record. The grounds urged by the petitioner for cancellation of anticipatory bail involve disputed questions of fact, which require proper consideration and adjudication by the Court which had granted the privilege of anticipatory bail to the O.P. Nos. 2 and 3.

5. In view of the aforesaid circumstances, without expressing any opinion on the merits of the allegations or the rival contentions of the parties, this application is disposed of with liberty to the petitioner to approach the learned Court concerned, which had granted anticipatory bail, by filing an appropriate application for cancellation of bail on the grounds raised in the present application.

6. In the event of filing such an application, the



learned Court concerned shall consider and dispose of the same in accordance with law, preferably within a period of one month from the date of filing of such application.

7. Let a copy of this order be communicated to the learned Principal District & Sessions Judge, Patna, through FAX/e-mail for information and necessary compliance.

(Sandeep Kumar, J)

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