

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13137 of 2025

Arising Out of PS. Case No.-2283 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Subi Singh @ Subi Raj W/O Vivek Singh, D/O Prabhakar Tiwari @ Jhunjhun Tiwari R/O Village- Raghunath Pur, Ward No.-08, Post Office and P.S- Turkaulia, Distt.- East Champaran, Motihari, Presently residing at Village- Basbariya, P.S- Mufassil, Motihari, Distt.- East Champaran (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vivek Singh S/O Sat Prakash Singh @ Munna Singh R/O Village- Raghunath Pur, Ward No. 08, Post Office and P.S- Turkaulia, Distt.- East Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 23-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present application has been filed on behalf of the petitioner seeking cancellation of the anticipatory bail granted to the O.P. No. 2 *vide* order dated 10.04.2023 passed by the court of learned Sessions Judge, East Champaran, Motihari in A.B.P. No. 957 of 2023.

3. Perused the records.

4. From the records, it appears that the impugned order granting bail to O.P. No. 2 has been passed by the court of learned Sessions Judge, East Champaran, Motihari. However,



the said order has not been assailed before the learned Principal District & Sessions Judge, East Champaran, Motihari.

5. In these circumstances, this application is disposed of with liberty to the petitioner to file an appropriate application, seeking cancellation of bail granted to the O.P. No. 2 before the learned Principal District & Sessions Judge, East Champaran, Motihari. If such an application is filed, the learned Principal District & Sessions Judge, East Champaran, Motihari shall consider and dispose of the same on its own merits, in accordance with law, preferably within a period of three months from the date of its filing.

6. It is made clear that this Court has not expressed any opinion on the merits of the rival claims and all questions are left open to be considered by the learned Principal District & Sessions Judge, East Champaran, Motihari .

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

(Sandeep Kumar, J)

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