

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31857 of 2026

Arising Out of PS. Case No.-274 Year-2024 Thana- BUDDHACOLONY District- Patna

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Anu Chaturvedi D/O Late Vijay Chaturvedi R/O Mohalla- Buddha Colony in the house of Dolly Singh, Patna Permanent Resident of Village- Chandwa Arrah, P.S.- Nawada, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashish Rastogi S/O Viond Prasad Rastogi R/O Village- Gahmar, Dist.- Ghazipur, Uttar Pradesh, At present Resident of Bhutnath Road, P.S- Kankarbagh, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain
For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-07-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present application has been filed by the petitioner for cancellation of the privilege of anticipatory bail granted to Opposite Party No. 2 by the learned Additional Sessions Judge-XIX, Patna vide order dated 29.07.2025 passed in A.B.P. No. 358 of 2025 arising out of Buddha Colony P.S. Case No. 274 of 2024, registered for the offences punishable under Sections 341, 323, 354(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that after



being granted the privilege of anticipatory bail, Opposite Party No. 2 has been threatening the petitioner as well as other witnesses and is misusing the liberty granted by the learned court below. It is further submitted that such conduct on the part of Opposite Party No. 2 is interfering the fair trial of the case.

4. Having regard to the nature of allegations made in the present application, this Court grants liberty to the petitioner to submit an appropriate representation, if not already submitted, before the Senior Superintendent of Police, Patna, with regard to the alleged threats and apprehension expressed by the petitioner.

5. In the event such representation is filed, the Senior Superintendent of Police, Patna, shall look into the matter himself and shall take appropriate action in accordance with law, if any threat, intimidation or attempt to influence the petitioner or other witnesses is found.

6. The petitioner is further granted liberty to approach the learned court below itself by filing an appropriate application for cancellation of anticipatory bail granted to Opposite Party No. 2 on the grounds stated in the present application.

7. In the event such an application is filed before the



learned court below, the same shall be considered and disposed of on its own merits, in accordance with law, preferably within a period of one month from the date of filing of such application.

8. With the aforesaid observations and directions, this application is disposed of.

9. It is made clear that this Court has not expressed any opinion on the merits of the rival contentions, which are left open to be urged before the learned court below. Needless to say, if the petitioner is still aggrieved after the decision of the learned court below, he/she shall be at liberty to approach this Court again, in accordance with law.

(Sandeep Kumar, J)

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