

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80482 of 2024

Arising Out of PS. Case No.-1504 Year-2023 Thana- PHULWARISHARIF District- Patna

Ashish Kumar S/o- Late Ravish Kumar Sinha R/o- Prem Niketan P.O- Anisabad PS- Gardanibagh District- Patna Bihar Pin 800002 and also Permanent Resident of Prem Niketan P.O Anishabad PS Gardanibagh Phulwari District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manshi Srivastava W/o- Manish Sarvesh R/o- Sardar Patel Park Near Dinkar Golambar Road 8-A, Rajendra Nagar Ps- Kadamkuan Patna
3. Neeru Sinha W/o- Binay Kumar Sinha R/o- Sardar Patel Park Near Dinkar Golambar Road 8-A, Rajendra Nagar Ps- Kadamkuan Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Shankar Pandey, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 12-01-2026 Heard learned counsel for the petitioner and learned
APP of the State.

2. The petitioner has filed the present application seeking cancellation of anticipatory bail granted to opposite party nos. 2 and 3 by the learned Addl. District and Sessions Judg-VIII, Patna vide order dated 13.09.2024 in A.B.P. No.1680 of 2024.

3. Upon perusal of the petition, the instant application for cancellation of anticipatory bail has been filed primarily on the ground of a reasonable apprehension of witnesses being tempered and the likelihood of commission of similar nature of



crime, as has been urged by the petitioner.

4. The bail already granted to opposite party nos. 2 and 3 cannot be cancelled on the mere basis of vague apprehension. Moreover, the other ground raised on behalf of the petitioner is that the bail was granted on extraneous considerations is also fit to be rejected, inasmuch as the order passed by the learned court concerned is based on substantial reasons. It is also a fact that opposite party nos. 2 and 3 are female members of the family i.e., the wife and mother of co-accused Manish Sarvesh, the younger brother of the petitioner, against whom the thrust of the allegation rests with respect to selling off the land falling in share of the petitioner, fraudulently on the basis of forged signatures.

5. The learned Court concerned has taken into consideration the fact that there are general and omnibus allegations against opposite party nos. 2 and 3 with no specific imputation against them and also that they had no criminal antecedent. The averments made in the cancellation of bail petition and the order sheet of the concerned Court also indicates that the court made several attempts for reconciliation and amicable resolution of the matter between the parties.



6. In such background of the facts and considering well reasoned order of the learned Court concerned granting anticipatory bail to the opposite party nos. 2 and 3, this Court is not inclined to interfere with the impugned order.

7. However, it goes without saying that in case of any supervening circumstances, the petitioner would always have liberty to move for cancellation of bail seeking the relief.

8. Accordingly, the application is dismissed.

(Soni Shrivastava, J)

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