

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4109 of 2024

Arising Out of PS. Case No.-520 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ramchandra Mahto, Late Raghunandan Mahto, R/o- Jitwarpur Chouth, PS-
Mufassil Samastipur, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Hasina Khatoon, Widow of Late Abdul Aziz Village- Jitwarpur Chouth,
Ward No-8 PS- Muffasil Samastipur, Dist- Samastipur
3. Md. Naushad @ Raju, Md. Nijamuddin @ Md. Ali Village- Jitwarpur
Chouth, Ward No-8 PS- Muffasil Samastipur, Dist- Samastipur
4. Md. Azad, Md. Nijamuddin @ Md. Ali Village- Jitwarpur Chouth, Ward No-
8 PS- Muffasil Samastipur, Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the State : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present application has been filed by the petitioner invoking the inherent jurisdiction of this Hon'ble Court for quashing the order dated 05.09.2023 passed by the learned Additional Chief Judicial Magistrate-II, Samastipur in Samastipur Muffasil P.S. Case No. 520 of 2019 corresponding to R.N. No.2777/2023, T.R. No.1819/2023 whereby and whereunder the application of the petitioner dated 03.10.2020 for cancellation of bail bond of the opposite party nos. 2 to 4 has



been rejected.

3. Learned counsel for the petitioner submits that the opposite party Nos.2 to 4 after being granted anticipatory bail in the present case had thereafter again committed an offence of assault with the petitioner's side for which one Samastipur Mufassil P.S. Case No. 410 of 2020 was lodged for the offences under Sections 447, 341, 323, 504, 354, 379, 506/34 of the IPC. It has been submitted that opposite party nos.2 to 4 have violated the conditions of bail and have committed another offence and therefore their bail bond ought to have been cancelled, however, the learned Trial Court without appreciating such facts, has dismissed the application for cancellation of bail bond of the opposite party nos. 2, 3 and 4.

4. Having heard the learned counsel for the petitioner and learned APP for the state and also upon perusal of the impugned order, it appears that the learned Trial court has taken into account that the opposite party nos. 2 to 4 /accused persons have not violated the conditions of the bail they were granted during the stage of investigation.

5. It has also been recorded that cognizance has already been taken and the accused persons, i.e., opposite party nos.2 to 4 have been regularly appearing either in person or



through their advocates and therefore, the cancellation of bail bond would not be proper.

6. From the perusal of the aforesaid, I do not find any illegality in the order impugned.

7. The present application is without merit and as such, the application stands rejected.

(Sourendra Pandey, J)

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