

IN THE HIGH COURT OF JHARKHAND, RANCHI
Cr.M.P. No. 3512 of 2025

Shiv Narayan Sahu, S/o Late Janki Sahu, aged about 40
years, Resident of village – Ormanjhi, Gangutoli, PO and PS
– Ormanjhi, District – Ranchi **.... Petitioner**

-- Versus --

- 1.** The State of Jharkhand
- 2.** Radha Devi, wife of Late Ram Ratan Sahu
- 3.** Shyam Kumar Sahu
- 4.** Santosh Sahu @ Santosh Kr. Sahu
- 5.** Tinku Sahu
- 6.** Suraj Sahu

Sr. Nos.3 to 6 are sons of Late Ram Ratan Sahu, and Sr. Nos.2
to 6 are resident of Rajahata College Road, Pahari Tola, PO and
PS – Sukhdeonagar, District - Ranchi

.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. Binod Kumar, Advocate
	:-	Ms. Nanda Kumari, Advocate
For the State	:-	Mr. Vineet Kr. Vashistha, Advocate

07/08.05.2026 The present Cr.M.P. has been filed for cancellation of
anticipatory bail granted to the opposite party Nos.2 to 6 by order
dated 22.12.2022 by Co-ordinate Bench of this Court in ABA No.5049
of 2022 in connection with Complaint Case No.1178 of 2017 pending
in the Court of learned J.M. 1st Class, XIV, Ranchi.

- 2.** Learned counsel for the petitioner submits that on the basis
of settlement made in the mediation in JHALSA the anticipatory bail

application was allowed. He further submits that however the terms and conditions have not been fulfilled by opposite party Nos.2 to 6. On these grounds, he submits that anticipatory bail granted to the opposite party Nos.2 to 6 may kindly be cancelled.

3. Learned counsel appearing for the opposite party Nos.2 to 6 submits that the petitioner is not paying the rest of the amount and that is why the sale deed is not executed. He further submits that the moment the petitioner will provide the entire consideration amount the execution of sale deed will be done. He then submits in view of that no case of cancellation of anticipatory bail is made out, as such this petition may kindly be dismissed.

4. Anticipatory bail has already been granted to the opposite party Nos.2 to 6 on the basis of certain conditions as the case is arising out of complaint case. It is well settled that the bail can be cancelled on the following grounds :-

*"(i) the accused misuses his liberty by indulging in similar criminal activity,
(ii) interferes with the course of investigation,
(iii) attempts to tamper with evidence or witnesses,
(iv) threatens witnesses or indulges in similar activities which would hamper smooth investigation,
(v) there is likelihood of his fleeing to another country,
(vi) attempts to make himself scarce by going underground or becoming unavailable to the investigating agency,
(vii) attempts to place himself beyond the reach of his surety, etc."*

5. The above grounds are illustrative and not exhaustive. It is

required to be kept in mind that the rejection of bail on one footing, but cancellation of bail is a harsh order. It is trite law that cancellation of bail can be done, in cases where the order granting bail suffers from serious infirmities resulting in miscarriage of justice. If the court granting bail ignores relevant materials indicating prima facie involvement of the accused or takes into account irrelevant material, which has no relevance to the question of grant of bail to the accused, the High Court or the Sessions Court would be justified in cancelling the bail.

6. In the case of ***Raghubir Singh Versus State of Bihar, reported in (1986) 4 SCC 481***, it has been held that it is trite law that cancellation of bail can be done in cases where the order granting bail suffers from serious infirmities resulting in miscarriage of justice.

7. In view of above and considering the submission of learned counsel appearing for the parties, it transpires that the petitioner himself is not fulfilling the terms and conditions for execution of sale deed.

8. No case of cancellation of anticipatory bail is made out, as such this petition is dismissed.

(Sanjay Kumar Dwivedi, J.)

Dated 08.05.2026
Sangam/