

Court No. - 64

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 66 of 2020

Applicant :- Smt. Babita

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Vivek Dhaka

Counsel for Opposite Party :- G.A., Satyam Narayan

Hon'ble Siddharth, J.

Heard Sri Vivek Dhaka, learned counsel for the applicant; Sri Satyam Narayan, learned counsel for the opposite party no. 2 and learned A.G.A for opposite party no. 1, the State.

The instant bail cancellation application has been filed on behalf of the applicant, Smt. Babita, with a prayer to cancel bail order dated 17.01.2020 passed in favour of opposite party no. 2 in Case Crime No. 837 of 2019, under Section- 376-D IPC, Police Station- Kankerkhara, District- Meerut by Additional Sessions Judge, F.T.C., Meerut.

There is no allegation that the opposite party no. 2 has ever misused the liberty of bail. The order of bail has been challenged on merits which cannot be considered in bail cancellation application. Trial is proceedings. Four prosecution witnesses have been examined before the trial court. There is no good ground for cancelling the bail granted to opposite party no. 2.

The bail cancellation application is accordingly, rejected.

Order Date :- 4.12.2023

Rohit