

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50618 of 2014

Arising Out of Phulwaria P.S. Case No. -124 Year- 2008 Thana -PHULWARIA District-
GOPALGANJ

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Khairul Nesa W/o Noor Alam, Resident of Village Narayan Pakauli, P.S.
Phulwariya, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mem Tara Khatoon, W/o Maqbool Ahmad, D/o Md. Isarail, Resident of
Village Bedu Tola, P.S. Thawe, District Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jawed Aslam, Adv.

For the State : Mr. A. Dayal, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 26-02-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner submits that she is the cousin sister-in-law (Gotni) of the Opposite Party No. 2 and seeks quashing of the order dated 14.8.2014 by which the Sessions Judge Gopalganj, has dismissed Criminal Revision No. 777 of 2014 and affirmed the order dated 30.6.2014 by which the Sub Divisional Judicial Magistrate, Gopalganj, has cancelled the bail bonds of the Petitioner on 30.6.2014.

It has been submitted that the Petitioner's bail bond was cancelled on the ground that the compromise could not fructify. It is submitted that since the Petitioner is the cousin sister-in-law,

obviously, she has no control over the relationship of the spouses and, hence, the order is unwarranted.

Considering the aforesaid, the application is allowed and the order dated 14.8.2014 passed by the Sessions Judge, Gopalganj, in Criminal Revision No. 777 of 2014 as also the order dated 30.6.2014 passed by the Sub Divisional Judicial Magistrate, Gopalganj, so far as the petitioner is concerned, is hereby set aside.

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(Anjana Prakash, J)

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