

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34498 of 2014

Arising Out of PS.Case No. -1615 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Aparna Banik Dutta wife of Sri Shankar Banik , D/o Shri Hari Das Dutta , resident of Mohalla -Ram Lakhan (Santosh) , Near Laxmi Market , 3rd Floor , Hazam Tola , P.S - Jakkanpur , District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shankar Banik , son of Late Nitai Chandra Banik resident of 107 , Mokal Tala Lane , Bhandra Kali , P.S.- Uttar Para , District - Hooghly , West Bengal .

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Adv
For the State : Mr. (App)
For the Opposite Party No.2: Mr. Pankaj Maijorwar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 16-12-2015 Heard learned counsel for the petitioner as well as learned APP for the State and learned counsel for the Opposite Party No. 2.

2. The present petition has been filed for cancellation of bail granted to the Opposite Party No. 2 in Criminal Miscellaneous No. 54191 of 2013 in connection with Complaint Case No. 1615(C) of 2012.

3. Learned counsel for the petitioner submits that the Opposite Party No. 2, had given undertaking to withdraw the divorce case in Matrimonial Suit No. 300 of 2013, pending before the Judicial Magistrate, First Class, Patna within one

month of his release from jail, the same was not done within the said time.

4. Learned counsel for the Opposite Party No. 2 appears and submits that though there was some delay in the matter, the said divorce case has since been withdrawn by him, and thus the undertaking given before this Court stands fulfilled. It is also submitted that Opposite Party No. 2 is still willing and ready to keep the petitioner with due care and dignity.

5. Learned counsel for the petitioner does not dispute the fact of withdrawal of the divorce case by the Opposite Party No. 2, though belatedly.

6. In the above view of the matter, this Court is not satisfied that any case has been made out for cancellation of bail of Opposite Party No. 2 granted in Criminal Miscellaneous No. 54191 of 2013.

7. Petition stands dismissed.

(Vikash Jain, J)

Ranjan/-
U

--	--	--	--