

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35591 of 2014

Arising Out of Complaint Case No. -745 Year- 2010 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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Suruchi Kumari

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsels for the petitioner-

complainant and the State.

The present application has been filed for cancellation of bail, granted to opposite party no. 2 being the husband of the petitioner-complainant vide order dated 09.04.2012 in Criminal Miscellaneous No.12001/2012 in connection with Complaint Case No.745C/2010, pending in the Court of learned SDJM, Madhepura, wherein process has been directed to be issued after cognizance being taken under sections 498A, 323 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The opposite party no.2 being husband of petitioner-complainant was granted provisional anticipatory bail for one year, on submission to keep the complainant as wife with

full dignity and honour. The provisional anticipatory bail of opposite party no.2 was to be confirmed by the learned Court below in three eventualities if the matrimonial harmony is restored substantially within one year or the wife deliberately refuses to reside with the petitioner-opposite party no.2 or she fails to appear before the learned Court below.

It is submitted by learned counsel for the petitioner-complainant that opposite party no.2 failed to comply the undertaking given before this Court, hence his bail bond was cancelled and subsequently he surrendered and was granted custody bail by the learned Court below.

In the circumstances, the present application for cancellation of bail of opposite party no.2 is not maintainable.

Accordingly, it is dismissed.

(Dinesh Kumar Singh, J)

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