

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51086 of 2012

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Runi Devi W/O Ajay Kumar @ Pintu Kumar, D/O Dinesh Singh R/O
Village - Nihura, P.S. Janipur (Phulwaei Sarif), District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Prabha Devi @ Prabha Kumari Devi W/O Sanjay Singh R/O Village -
Mustafapur, P.S. Khagaul, District - Patna
3. Sumitra Devi W/O Indra Deo Singh R/O Village - Mustafapur, P.S.
Khagaul, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-10-2016

The present application has been filed for cancellation of bail of opposite party nos. 2 and 3, who being the mother and sister-in-law of the husband of the complainant were granted anticipatory bail vide order dated 04.10.2012 passed in Cr. Misc. NO. 37797 of 2012 in Complaint Case No. 975C of 2012 wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act, pending in the court of learned SDJM, Patna.

The basis accusation is of torture for non-fulfillment of the dowry demand. The marriage was performed in 2006.

On submission of opposite party nos. 2 and 3

that the brother of the petitioner lodged Sanha on 21.12.2011 to the effect that the husband of the complainant was missing when it was submitted that the husband of the petitioner was residing with the petitioner in his in-laws house. The petitioner being the complainant did not make any accusation against her husband or disclosed the fact about missing of her husband in the complaint petition, the opposite party nos. 2 and 3 were granted anticipatory bail vide order dated 04.10.2012 passed in Cr. Misc. No. 37797 of 2012.

It is submitted by learned counsel for the petitioner that the ground for cancellation is that opposite party nos. 2 and 3 are not allowing the petitioner to enjoy her share of property in the matrimonial house.

The parameters for grant of bail and its cancellation are quite different. There is nothing on the record to suggest that the opposite party nos. 2 and 3 after grant of anticipatory bail have misused the privilege of bail till date.

Hence, this Court finds no merit in this application and accordingly, it is dismissed.

(Dinesh Kumar Singh, J)

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