

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50503 of 2012

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Jyoti Kumari Bishwambhar Prasad Srivastava R/O,North Of Dead Asiana
School,Jagdeonagar,Danapur,P.S.-Rupaspur,Dist.-Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Amit Kumar S/O Sri Bipin Bihari Verma R/O,Moh Nayagaon,P.S.-
Nayagaon,Dist.-Chhapra,Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Dasrath Mehta(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 no. 2, who being the husband
of the informant was granted anticipatory bail vide order dated
27.04.2012 passed in Cr. Misc. No. 15741 of 2012 in Bhagwan
Bazar P.S. Case No. 121 of 2011 registered under Sections 341,
323, 328, 307, 498A of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act, pending in the court of learned CJM,
Saran at Chapra.

The opposite party no. 2 was granted
anticipatory bail on the ground that he had filed restitution suit at
earlier point of time and ready to make payment of Rs.1,000/- per
month to the informant from June, 2012 by depositing the same in

the bank account of the informant by second week of every month. The aforesaid payment was subject to any order being passed in matrimonial or maintenance proceeding. Three consecutive defaults in making payment by the petitioner was precondition for cancellation of bail. The present application does not reflect any default in the payment of the undertaken amount.

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

(Dinesh Kumar Singh, J)

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