

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38494 of 2016

Arising Out of PS.Case No. -20 Year- 2015 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

=====

Soni Biswas W/o Biplaw Biswas D/o Subhash Biswas, resident of village-
Belbag Bengali Colony , P.S. Bettiah Mufassil, District-West Champaran.
At present address village-Hind Cinema Chouk Ramnagar, P.S. Ranager,
District-West Champaran Petitioner/s

Versus

1. State of Bihar
2. Biplaw Biswas, son of Ravi Chandra Biswas @ Ravi Biswas @
Ravindra Nath Biswas, resident of village Belbag Bengali Colony , P.S.
Bettiah Mufassil, District-West Champaran Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate
For the Opposite Party/s : Mr. Smt. Anita Kumari Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-12-2016 The opposite party No. 2 is the husband of the

petitioner. The petitioner seeks cancellation of bail granted to

opposite party No. 2 by learned Additional Sessions Judge,

Bagaha in connection with Mahila P.S. Case No. 20 of 2015

registered for the offence punishable under Sections 498A, 406

and 313 read with Section 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
has submitted that there is sufficient ground for cancellation of
bail granted to the opposite party No. 2 inasmuch as he has not
honoured the order passed by this Court, whereby he was granted
provisional bail in an application for anticipatory bail. He has
submitted that opposite party No. 2 had assured the petitioner to
keep him with full love and dignity which he is not doing and on



that ground also the bail granted to him deserves to be cancelled.

Upon perusal of the order whereby the opposite party No. 2 has been granted regular bail, I find that there is no legal infirmity or wrong exercise of discretion. What has been alleged in the present petition, seeking cancellation of bail, cannot be said to be making out good grounds for cancellation of bail.

Learned counsel for the petitioner has submitted that the petitioner has no other remedy to maintain her and her child. For the said purpose, the petitioner may have legal remedies under various provisions of law, which she may take recourse to. By filing an application seeking cancellation of bail, such grievance cannot be redressed.

In view of the above, I do not find any merit in this application. This application is accordingly dismissed.

It goes without saying that the petitioner for the purpose of her maintenance or maintenance of her child can take recourse to other provisions of law as may be permissible to her.

(Chakradhari Sharan Singh, J)

Vats/-

U		T	
---	--	---	--

