

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13763 of 2016

Arising Out of PS.Case No. -770 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Asha Devi Wife of Satyendra Kahar @ Satyendra Kumar Resident of
village- Konki, Police Station- Sheo Sagar (Baddi), District- Rohtas at
Sasaram Petitioner/s

Versus

1. The State of Bihar

2. Satyendra Kahar @ Satyendra Kumar Son of Late Lallu Kahar Resident
of village- Konki, P.O- Nad, Police Station- Sheo Sagar (Baddi), District-
Rohtas at Sasaram. At Present Address- Nand Nagari, B.2/39, Sahandra Bus
Stand Chauk, New Delhi at Near Pathan Hotel Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Dinu Kumar, Advocate

For the State : Mr. Md. Ansural Haque, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 29-11-2016 The petitioner is the wife of opposite party No. 2. She

seeks cancellation of bail granted to the opposite party No. 2 by

virtue of an order dated 02.07.2015 passed by this Court in

Criminal Miscellaneous No. 4719 of 2014.

It is the case of the petitioner that privilege of
anticipatory bail was granted to opposite party No. 2 with the
condition that if the complainant/the petitioner intended to join the
opposite party No. 2, he shall be under obligation to take and
maintain her and in case the opposite party No. 2 refused to
maintain her, the anticipatory bail shall stand cancelled. According
to the petitioner, despite the fact that she intended to stay with the
opposite party No. 2, he has refused to keep and maintain her.

I have heard learned counsel appearing on behalf of



the petitioner and learned counsel representing the opposite party No. 2, opposing the prayer for cancellation of bail. It has been contended on behalf of the opposite party No. 2 that despite steps having been taken to keep the petitioner, she declined to stay with him and the allegation as made in this application seeking cancellation of bail are incorrect. It has been argued that the petitioner is delaying conclusion of trial by seeking unnecessary adjournment before the court below. It has also been submitted that the petitioner is not producing any witness before the court below.

No ground for cancellation of bail, which are well recognized and defined has been made out in the present application.

I do not find any merit in this application. This application is accordingly rejected.

It is observed that the court below shall make endeavour to take the trial expedited and concluded within a reasonable period of time.

(Chakradhari Sharan Singh, J)

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