

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46046 of 2016

Arising Out of PS.Case No. -90 Year- 2013 Thana -DARBHANGA COMPLAINT
CASE District- DARBHANGA

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Mamta Devi, wife of Ram Pravesh Safi, resident of Village-
Pohaddi West, East Mushari Tola, Police Station- Bahera,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Pravesh Safi, son of Late Lakshmi Safi, Resident of
Village- Pohaddi, Purvi Mushari, Police Station- Bahera,
District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shama Sinha

For the Opposite Party/s : Mrs. Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 14-12-2016 Heard the parties.

This application, under Section 439(2) of the
Code of Criminal Procedure, has been filed seeking
cancellation of provisional bail granted to opposite party No.
2 *vide* order, dated 12.12.2013, passed in Cr. Misc. No.
47233 of 2013.

Learned counsel, appearing on behalf of the



petitioner, has submitted that the said Cr. Misc. No. 47233 of 2013 has subsequently been dismissed for default on 10.10.2014. According to her, successive restoration applications have also been dismissed for default. Once, the said Cr. Misc. No. 47233 of 2013 stood dismissed for default, the order, dated 12.12.2013, granting opposite party No. 2 the privilege of provisional bail, lost its force.

In such circumstance, no order needs to be passed in the present application.

However, it is made clear that since Cr. Misc. No. 47233 of 2013 has been dismissed for default, opposite party No. 2 can be taken into custody in connection with C.R. No. 90 of 2013.

This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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