

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30428 of 2016

Arising Out of PS.Case No. -329 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Sabana Khatoon, wife of Md. Firoj Ansari, daughter of Abdul Qyum, At present residing at Village- Pipradhi, Police Station-Bajpatti, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Firoj Ansari, Son of Md. Firmud Ansari, resident of Village-Bindahi, Police Station- Sursand, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2016

Heard learned counsel for the petitioner.

The petitioner seeks cancellation of anticipatory bail granted to opposite party no.2 on 22.02.2016 in Cr. Misc. No. 52770 of 2015 arising out of Complaint Case No. 329 of 2014 instituted under Section 498A of the Indian Penal Code, pending in the court of learned S.D.J.M., Pupri at Sitamarhi.

As per the complaint case, it is a case of torture and assault upon the complainant and also demanded a Hero Honda motorcycle by the husband and in-laws family.

Opposite party no.2 was granted bail vide Cr. Misc. No. 52770 of 2015 dated 22.02.2016 on the submission that he is

ready to keep the petitioner with him with all respect and dignity.

The present cancellation application has been filed on behalf of the petitioner as opposite party no.2 has refused to keep the petitioner with him.

Notices were issued upon opposite party no.2. From perusal of service report it is evident that the notices were received by him personally. Opposite party no.2, in spite of service of notice, has preferred not to appear before this Court.

Considering the aforesaid facts and circumstances of the case, bail granted to opposite party no.2 vide Cr. Misc. No. 52770 of 2015 dated 22.02.2016 is hereby cancelled as he has failed to comply with the undertaking given by him. The court below is directed to take necessary steps for issuance of process against opposite party no.2.

(Sudhir Singh, J)

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