

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48373 of 2016

Arising Out of PS.Case No. -252 Year- 2016 Thana -BUXAR COMPLAINT CASE
District- BUXAR

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1. Tabsum Praveen wife of Sahnaj Alam @ Sahnawaj Alam
@ Sonu @ Sahnaj Awam daughter of Md. Mahmood Alam
resident of village Chaugai, Police Station Murar, District
Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahnaj Alam @ Sahnawaj Alam @ Sonu @ Sahnaj Awam
son of Md. Mahmood Alam
3. Mahmood Alam son of Late Virahim @ Late Md. Ibrahim
@ Late Ibrahim Mia
4. Gajjala Praveen daughter of Mahmood Alam
Opposite party Nos. 2 to 4 residing of village Chaugai, Police
Station Murar, District Buxar, at present residing at 7/1
Alam Misty Lane Howrah, Police Station Golwari Howrah, Pin
711101, East Bengal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kr. Sinha

For the Opposite Party/s : Mr. Satyendra Pd. (App)

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

ORAL ORDER

2 13-12-2016

Heard the parties.

The petitioner is the wife of opposite party No. 2.



She seeks cancellation of anticipatory bail granted to opposite party Nos. 2 to 4 by learned Sessions Judge, Buxar, *vide* an order, dated 05.09.2016, in connection with Complaint Case No. 252(C) of 2016, for the offences alleged under Section 498A of the Indian Penal Code. Opposite party Nos. 3 and 4 are father-in-law and sister-in-law of the petitioner, respectively.

The sole ground, which is being taken to assail the order passed by the learned Sessions Judge, granting opposite party Nos. 2 to 4 the privilege of anticipatory bail, is that in a complaint case, anticipatory bail ought not to have been entertained since only summonses were issued to opposite party Nos. 2 to 4.

On this technical ground, considering the nature of dispute between the parties, I am not inclined to cancel the privileges of bail granted to opposite party Nos. 2 to 4. I do not find any merit in this application.

This application is, accordingly, rejected.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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