

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39254 of 2014**

Arising Out of PS.Case No. -56 Year- 2013 Thana -ASARGANJ District- MUNGER

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Raman Kumar Singh S/o Ranvijay Singh Residence of Village - Kamrai,  
P.S. - Asarganj, Dist. - Munger

.... .... Petitioner

Versus

1. The State of Bihar
2. Smt. Laxmi Singh W/o Raman Kumar Singh, D/o Kaushal Kishore  
Singh Residence of Village - Rampur, Police Station - Simari  
Bakhtiarpur, District - Saharsa

.... .... Opposite Party

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**Appearance :**

|                    |   |                                                                                |
|--------------------|---|--------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. Vikram Deo Singh<br>Mr. Nityanand Mishra<br>Dr. Satyendra Kumar Srivastava |
| For the State      | : | Mr. Anuj Kumar Srivastava (App)                                                |
| For O.P. No. 2     | : | Ms. Pratibha Kumari<br>Mr. K.K.Jha                                             |

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

8      08-11-2017      Heard learned Counsel for the petitioner as well as the  
learned Counsel for the State.

The petitioner has preferred this application for setting  
aside cancellation of his bail order passed by the trial court by order  
dated 26.6.2014 and consequently issuing NBW for apprehending the  
petitioner, who is accused in Asarganj PS Case No. 56 of 2013.

Learned Counsel for the petitioner submits that the bail  
of the petitioner was cancelled giving the reason that the petitioner  
has not made compliance of the order dated 7.3.2014 by which bail  
was granted. It is submitted that bail was granted to the petitioner  
considering the compromise entered in between both sides, the



husband and the wife, again the wife levelled allegation of torture, which is contrary to the fact and neither any such complaint was made to the police nor any enquiry was done. However, there is no any allegation of misuse of privilege of bail or tampering with the evidence.

Contrary to this, learned Counsel for the informant submits that the bail was cancelled because the petitioner started torturing his wife.

Having considered the rival submissions of both sides and on perusal of the record the Court finds that the reason given for cancellation of bail is not tenable as there is no violation of the order dated 7.3.2014 by which the petitioner was granted bail. The parameters for grant of bail and for cancellation are not the same. This Court does not find any ground in the order dated 7.3.2014 or subsequent orders by which the said order was modified, requiring cancellation of bail of the petitioner. There is no allegation of any misuse of the privilege of bail or non appearance during the trial or tampering with the evidence. So, the impugned order dated 26.6.2014 passed by the trial court is set aside.

The application stands allowed.

**(Arun Kumar, J.)**

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