

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13461 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -MAHILA P.S. District- MADHEPURA

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Kajal Kumari wife of Chhotu Kumar @ Ritesh Kumar D/O Radhey
Paswan, Resident of Village-Pahar Tola, P.s. Mirganj, District-Madhepura
..... Petitioner/s

Versus

1. The State of Bihar
2. Naresh Yadav Son of Late Rameshwar Yadav
3. Renu Devi wife of Naresh Yadav
4. Nitish Kumar Son of Naresh Yadav
5. Neha Kumari D/O Naresh Yadav, all are residents of village-Sabaila,
P.S. Singheshwar, District-Madhepura
6. Bittu Kumar Son of Kuseswar Yadav, resident of village-Korihar, P.S.-
Gamharia, District-Madhepura
7. Bablu Kumar Son of Raj Kishore Yadav, Resident of Village-Menha
Khonha, P.S.-Bihra, District-Saharsa

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-04-2017 Though this application has been listed under the heading 'orders' with certain office notes, it is being disposed of on merit. The petitioner claims to be the wife of one Chhotu Kumar. Opposite parties No. 2 to 7 are father, mother, brothers and family members of said Chhotu Kumar. All of them, except the said Chhotu Kumar, have been made accused of offence punishable under Sections 498A, 341, 323, 504 and 506/34 of the Indian Penal Code, Section 3 and 4 of the Dowry Prohibition Act and Section 3 (1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act. The said opposite parties have



been allowed anticipatory bail by an order dated 29.10.2016, passed by learned Sessions Judge, Madhepura.

This application has been filed under Section 439(2) of the Code of Criminal Procedure seeking cancellation of bail so granted to the opposite parties No. 2 to 7.

It is evident from the First Information Report that the petitioner has not made any allegation against Chhotu Kumar whom she claims to be her husband and only family members of Chhotu Kumar had been implicated. I do not find any wrong exercise of discretion by the court below while allowing anticipatory bail application on opposite parties No. 2 to 7 in the facts and circumstances of the case.

This application for cancellation has no merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Vats/-

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