

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8936 of 2017

Arising Out of PS.Case No. -487 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

=====

Sweta Devi, wife of sri Anjani Kumar Srivastava, D/O Late Shanker Dev Narayan, resident of village and post office-Balua, P.S. Karahara, District-Bhojpur (Ara), Bihar. Present residing at Ward No. 18, Post and Police Station-Bhabua, District Kaimur (Bhabua) Bihar

.... Petitioner/s

Versus

1. State of Bihar
 2. Anjani Kumar Srivastava, Son of Sri Keshaw Prasad Srivastava, resident of Village and Post Office- Balua, P.S. Karahara, District-Bhojpur (Ara), Bihar
- Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate
For the Opposite Party/s : Mr. Sri Bharat Bhushan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 20-04-2017 The opposite party No. 2 is the husband of the petitioner. He has been made accused of offence punishable under Section 498A of the Indian Penal Code and has been granted provisional anticipatory bail for six months by an order dated 28.11.2016 in ABP No. 1178 of 2016 by learned Sessions Judge, Kaimur.

The petitioner has filed the present application seeking cancellation of bail so granted by the court below.

Learned counsel for the petitioner has submitted that the court below is proceeding towards one time settlement leading to separation between the petitioner and the opposite party No. 2



whereas the petitioner is ready to live with opposite party No. 2. It appears from the record and submission advanced on behalf of the parties that conciliation proceeding is going on before the court below.

I am of the view that no cogent ground is made out for cancellation of provisional anticipatory bail granted to opposite party No. 2 and no purpose will be served if the bail granted to opposite party No. 2 is cancelled.

Learned counsel for the petitioner has submitted that there is more stress on one time settlement between the parties and conciliation proceeding by way of separation and no effective step is being taken towards restoration of matrimonial relationship between the parties. This Court expects that the court below will keep in mind this aspect and consider whether there is a chance of restoration of matrimonial relationship between the petitioner and the opposite party No. 2.

This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

Vats/-

U		T	
---	--	---	--

