

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8681 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Rita Devi, Wife of Navin Pathak, Daughter of Jhulan Pandey Resident of Village-Baldhari, Police Station-Kuchaykot, District-Gopalganj at Present Village-Budhiya, Police Station-Singwaliya, District-Gopalganj,

.... Petitioner/s

Versus

1. The State of Bihar
2. Navin Pathak, Son of Sanjay Pathak, Resident of Village-Baldhari, Police Station-Kuchaykot, District-Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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

2 22-03-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

The petitioner is the wife of Opposite Party No. 2. She seeks cancellation of regular bail granted to Opposite Party No. 2 by learned Additional Sessions Judge II, Gopalganj, in B.A. No. 1895 of 2016, who has been made accused in Kuchaykot Police Station Case No. 157 of 2016, registered for the offences punishable under Sections 498A/307/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The plea, which has been taken for cancellation of bail, is that Opposite Party No. 2 has contracted second



marriage.

No case for cancellation of bail is made out in the absence of any allegation of misuse of privilege of bail.

Considering the nature of accusation, the grant of regular bail to the Opposite Party No. 2 cannot be said to be unjustified. This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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