

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14792 of 2017

Arising Out of PS.Case No. -379 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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1. SHYAMDEO BASAKI son of Baijun Baski Resident of village Simaldaha, p.s. Dhamdaha, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Khatoon wife of Md. Siddique
3. Nikhat Praween wife of Md. Murtuza
4. Baby Khatoon wife Sams Raja alias Pinku
5. July Khatoon D/o Md. Siddique
6. Tabassum D/o Md. Siddique
7. Sams Raja alias Pinku son of Md. Siddique
8. Md. Siddique son of Late Karamat All residents of village Oriya, P.S. Sri Nagar, District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-03-2017 Heard learned counsel for the parties.

2. The present application has been filed seeking cancellation of anticipatory bail granted to Opposite parties No. 2 to 8 by order, dated 06.12.2016 passed by learned First Additional Sessions Judge, Purnea in A.B.P. No. 1338 of 2016. The said Opposite parties, who it appears belong to the same family, have been made accused of the commission of the offence punishable under Sections 341, 323, 353,427,504,506 and Section 34 of the Indian Penal Code. Out of seven persons named in the First Information Report,



five are ladies. From the First Information Report, it appears that there is some dispute arising out of *sikmi* rights between the parties and such dispute is civil in nature.

3. There is no allegation of any misuse of privilege of bail. The plea that grant of anticipatory bail is wrong exercise of discretion and without application of judicial mind is absolutely frivolous. The filing of the present cancellation application is an abuse of the process of the Court.

4. This application is, accordingly, dismissed with a cost of Rs. 20,000/-(twenty thousand) to be deposited by the petitioner in the account of Bihar Legal Services Authority, Patna.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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