

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17305 of 2017

Arising Out of PS.Case No. -252 Year- 2016 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Shiv Kumar Verma son of Late Satyabrat Verma, resident of Mohalla-Mogalpura, Lala Toli, P.O. Jhaugari, P.S.Khaje kala, District Patna
 2. Indu Kumari Daughter of Shiv Kumar Verma son of Late Satyabrat Verma, resident of Mohalla-Mogalpura, Lala Toli, P.O. Jhaugari, P.S.Khaje kala, District Patna. Wife of Sri Rakesh Kumar @ Rakesh Kumar Sinha son of Sri Tarkeshwer Lal, Resident of Village-Budha Nagar, Lohar Toli, P.O.Islampur, P.S. Islampur, District Nalanda....
- Petitioner/s

Versus

1. The State of Bihar
2. Sri Rakesh Kumar @ Rakesh Kumar Sinha son of Sri Tarkeshwer Lal, Resident of Village-Budha Nagar, Lohar Toli, P.O.Islampur, P.S. Islampur, District Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Sri Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 08-04-2017 This application has been filed for cancellation of anticipatory bail granted to opposite party No. 2 by an order dated 09.01., passed by learned Sessions Judge, Nalanda, in connection with Islampur P.S. Case No. 252 of 2016 registered for the offences punishable under Sections 341, 323, 498A, 504 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioners has submitted that learned Sessions Judge, before allowing the application for anticipatory bail had issued notice to the petitioners. The notice



was, however, not served on them and without ensuring service of notice learned court below allowed opposite party No. 2, privilege of anticipatory bail.

There is no allegation in the application that there has been any misuse of privilege of bail granted to opposite party No. 2. The exercise of discretion in grant of anticipatory bail to opposite party No. 2, in the facts and circumstances, cannot be said to be erroneous.

I do not find any merit in this application, this application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Vats/-

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