

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21839 of 2017

Arising Out of PS.Case No. -1890 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Samida Khatoon Wife of Md. Sairaj Baitha and Daughter of Md. Arfi Baitha, presently residing at Village- Kanhwa, Tole Ram Nagar, P.S. Bela, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar
2. Md. Sairaj Baitha, Son of Md.Nijam Baitha, Resident of Village- Siswa, Nasar Bazar, P.S. Parihar, District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Parties : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 19-07-2017 Heard.

This criminal miscellaneous application has been filed by the wife praying therein to cancel the bail of the Opposite Party No.2 who has been granted regular bail by this Court on 11.01.2017 in Cr.Misc.No.650 of 2017.

It is submitted that the marriage of petitioner had taken place with the Opposite Party No.2 for about twelve years ago and from the said wed-lock she has four children. Petitioner is unable to maintaining herself as well as her children. She was assaulted and ousted from the house and since then she along with her children is leading deserted life, having no source of maintenance.



The petitioner has no objection in granting bail, if he agrees to keep the complainant and her son with full honour and dignity.

Learned counsel for the Opposite Party No.2 on the other hand opposed the submission. It was submitted that the petitioner was remanded on 27.11.2016.

Learned Additional Sessions Judge, Sitamarhi had noticed to the complainant for settlement but she did not appear and the bail application was heard in her absence. The petitioner was allowed bail after remaining in jail for about one and half months.

In view of the discussions made above, I do not find any merit in the application. The prayer for cancellation of bail is rejected.

(Sanjay Kumar, J)

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