

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46033 of 2014

Arising Out of PS.Case No. -2290 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Md. Kalam S/o Md Israjul Mian resident of village- Kaman Chhapra,
P.S. & District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar

2. Fatma Khatoon W/o Md. Kalam, D/o Md. Hussain Resident of
village- Krishanagar, P.S.- Belsar (O.P.), District- Vaishali.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Sanjay Kr. Sharma, Additional Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 11-10-2017

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Submission of learned counsel for the petitioner is
that because after cancellation of his bail bond filled up
pursuant to the order dated 05.07.2013 passed by learned
Sessions Judge, Vaishali at Hajipur, he had surrendered before
the learned Magistrate and had obtained fresh bail,
therefore, recall or cancellation of the order granting
Anticipatory Bail to the petitioner shall have no effect is
totally misconceived.



The petitioner filled up the bail bond only by virtue of the order dated 05.07.2013, by which the learned Sessions Judge, Vaishali had granted him privilege of Anticipatory Bail. Since, the Anticipatory Bail, granted to the petitioner, has been cancelled for the reasons indicated in the order dated 10.07.2014 passed in Cr. Misc. No. 1/2014, the benefits arising out of the order dated 05.07.2013 has also vanished, the petitioner cannot take advantage of the bail bond filled up by him after the order dated 05.07.2013 was passed by the learned Sessions Judge, Vaishali or upon cancellation of the said bail bond because of the misuse, when a fresh bail bond was executed. The impugned order contains reasons as to how on the basis of a false affidavit of the victim lady, the Anticipatory Bail was obtained.

This court does not find any merit in the application. This application is, accordingly, dismissed.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

