

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18269 of 2017

Arising Out of PS.Case No. -40 Year- 2010 Thana -RAMKRISHNANAGAR District- PATNA

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1. Sohan Sao, son of Monarik Sao, resident of village New Etwarpur,
Police Station Parsa Bazar, District Patna

.... Petitioner

Versus

1. The State of Bihar
2. Chintu Kumar, son of Singheshwar Sao, resident of East Ramkrishna
Nagar, Police Station Ramkrishna Nagar, District Patna

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Satrudhan Kumar
For the State : Mr. Sanjay Kumar Tiwary

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

4 04-05-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor representing the State.

The Opposite Party No. 2 is husband of the daughter of the petitioner. The petitioner is the informant of Ramkrishna Nagar Police Station Case No. 40 of 2010, registered for the offences punishable under Sections 498A/324/326/323/406/420/379/380/504/384/120B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The Opposite Party No. 2 was granted bail by this Court by an order, dated 18.03.2011, passed in Criminal Misc. No. 45194 of 2010. The petitioner seeks cancellation of bail on the ground that Opposite Party No. 2



is not voluntarily depositing a sum of Rs. 1600/- as was directed by this Court, by order, dated 18.03.2011 and, therefore, the bail bond should be cancelled.

In my opinion, in the facts and circumstances of the case, it would be open to the petitioner to bring this fact to the notice of the Court below and if the Court is of the view that Opposite Party No. 2 is not honouring the undertaking of giving Rs. 1600/- per month, the Court below shall be required to proceed for cancellation of bail granted in favour of Opposite Party No. 2.

This application stands disposed of.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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