

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8459 of 2017

Arising Out of PS.Case No. -727 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Abha Devi Wife of Vijay Mishra, Daughter of Rabindra Pandey at present Resident of 43/L T.H.E.D. Road, P.O. and P.S.- Airport, Kolkata, District - Kolkata (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vijay Mishra, Son of Parmatma Mishra, Resident of Mohalla - Vishwamitra Colony, Niranjapur, P.S. - Buxar Industrial, District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vindhya Keshari Kumar, Sr. Adv.
Mr. Ravi Shankar Pathak

For the Opposite Party/s : Ms. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 17-03-2017 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor representing the State.

The petitioner is the wife of Opposite Party No.

2.

The Opposite Party No. 2 has been allowed regular bail by the Court of learned Sessions Judge, Buxar, by order, dated 05.01.2017, passed in B. P. No. 772 of 2016, arising out of Complaint Case No. 727(C) of 2013.

The said concession of bail has been granted in view of certain undertaking given by the Opposite Party No. 2 before the learned Court below.



With a plea that the Opposite Party No. 2 is not honouring the undertaking so given before the learned Court below, the petitioner has filed this application for cancellation of bail.

In my view, it would be proper for the petitioner to raise such grievance before the Court by which regular bail has been granted in view of the undertaking given by the petitioner.

Learned Senior Counsel, appearing on behalf of the petitioner, has also submitted that there was certain condition imposed by this Court also for payment of a sum of Rs. 750/- per month for maintenance and on that ground also, Opposite Party No. 2 does not deserve privilege of bail.

These aspects can be gone into by the learned Court below if an application is filed on behalf of the petitioner in this regard.

This application stands disposed of.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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