

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37576 of 2016

Arising Out of PS.Case No. -609 Year- 2013 Thana -MOTIHARI TOWN District- EAST
CHAMPARAN (MOTIHARI)

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Sidhi Kumari @ Sidhi Devi @ Pinki, Wife of Basant Tiwari, Resident of
Mohalla- Belisarai, P.O. - Motihari, P.S.- Motihari Town, District East
Champaran, at Present Daughter of Braj Narain Shukla, Resident of
Narayanpur, Bagaha-2, Police Station- Pathkhauli, (Bagaha), District -West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Basant Tiwari @ Basant Kumar, Son of Harishankar Tiwari Resident of
Mohalla- Belisari, P.O. - Motihari, P.S. Motihari Town, District East
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Adv.

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal, APP

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

ORAL ORDER

3 27-03-2017 Heard the parties.

The petitioner is the wife of opposite party No. 2.
She seeks cancellation of bail granted to opposite party No. 2 by
an order, dated 13.04.2015, passed by this Court in Cr. Misc. No.
25963 of 2014.

Learned senior counsel, appearing on behalf of the



petitioner, has drawn my attention to the said order, dated 13.04.2015, and has submitted that opposite party No. 2 was under obligation to live with and maintain the petitioner, if she was otherwise willing. He has submitted that contrary to observation made by this Court, opposite party No. 2 has not allowed the petitioner to live with him and, therefore, has violated the condition of grant of anticipatory bail.

I have perused the application, particularly the grounds taken on behalf of the petitioner for cancellation of bail. This Court, while allowing anticipatory bail to opposite party No. 2, observed that arrest of a person, who figured as an accused in a case wherein offences punishable under Section 498A of I.P.C. is alleged, is not at all warranted. Allegation that opposite party No. 2 has not kept the petitioner with full honour and dignity cannot be a ground for cancellation of bail.

I do not find any merit in the prayer. This application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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