

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23000 of 2017

Arising Out of PS.Case No. -1423 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Puja Kumari @ Puja Devi, wife of Shatrughan Soni @ Dhunmun, daughter of Suraj Sah, resident of Village- Bharwatoli, Lauriya, P.S.- Lauriya, District- West Champaran, at present, resident of Village- Banuchhapar, Ward No.9, P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shatrughan Soni @ Dhunmun, son of Sri Kishori Lal Sah, resident of Village- Bharwatoli Lauriya, Photo Final Studio, P.S.- Lauriya, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2017 Present application has been filed by the petitioner for cancellation of bail granted to opposite party no. 2 vide order dated 04.04.2017 passed in Criminal Miscellaneous No. 14854 of 2017.

It has been submitted by learned counsel for the petitioner that by virtue of wrong facts that he has minor child of two years to look after, opposite party no. 2 has extracted the order of bail, whereas he has no children.

However, from perusal of the order dated, 04.04.2017, it appears that opposite party no. 2 was not granted the privilege of



anticipatory bail on the ground that he has to look after the minor child aged about 2 years but as he was also ready to keep petitioner with all care and protection and petitioner was also willing to live with him and on that, both of them were directed to present themselves before the court below and the court below on being satisfied with their conduct was directed to release the opposite party no. 2 on provisional bail. The petitioner has now come for cancellation of provisional anticipatory bail granted to opposite party no. 2, though the same was only conditional order and only on being satisfied, the opposite party no. 2 has been granted provisional bail and nothing has been brought on record to show that those conditions were not fulfilled and the present application is filed. Hence, I am not inclined to interfere with the order dated 04.04.2017, passed in Criminal Miscellaneous No. 14854 of 2017.

Accordingly, the present application is dismissed.

(Vinod Kumar Sinha, J)

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