

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19368 of 2018

Arising Out of PS. Case No.-1713 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

=====

Punam Devi @ Vavan Devi, Wife of Suresh Baitha, resident of Village- Sukhi, P.S. Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Ram Baitha, Son of Jitu Baitha,
3. Bachhi Devi, Wife of Jutu Baitha,
4. Jitu Baitha, Son of Late Kari Baitha, All resident of village- Gangali, P.S. Aurai, District- Muzaffarpur.
5. Dinesh Baitha, Son of Jhingur Baitha,
6. Viva Devi, Wife of Dinesh Baitha, both resident of Village- Runnisaidpur, District- Sitamarhi.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-06-2018 This petition has been filed for cancellation of anticipatory bail granted to the Opposite Party nos. 2 to 6 by order dated 19.12.2017 passed in 59202 of 2017.

It is submitted that Opposite Party Nos. 2 to 6 have suppressed the fact during hearing of Cr. Misc. No. 59202 of 2017 that they have already surrendered in the Court below on 09.10.2017 and have been granted provisional bail, which is apparent from the order-sheet of the court below which is enclosed as Annexure-3/1.

In such circumstances, this Court finds that due to



suppression by the Opposite Party Nos. 2 to 6 of the aforesaid fact, the anticipatory bail is granted to them on 19.12.2017. In fact, the anticipatory bail petition was not maintainable in this Court after the Opposite Parties have already surrendered in the court below on 09.10.2017. Therefore, the anticipatory bail granted to the Opposite Party Nos. 2 to 6 by order dated 19.12.2017 passed in Cr. Misc. No. 59202 of 2017 is hereby cancelled. They are directed to surrender before the Court below and make prayer for regular bail which shall be considered and disposed off by the Court below on its own merit without being prejudiced by the present order.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

