

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34404 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -GUTHNI District- SIWAN

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Maya Devi, wife of Prashant Mishra, resident of Village-Darela, P.S.-
Guthani, District-Siwan

.... Petitioner/s

Versus

1. The State of Bihar
 2. Bankey Bihari Mishra, son of Ram Nagina Mishra
 3. Sanjay Mishra, son of Bankey Bihari Mishra
 4. Sheela Devi, wife of Sanjay Mishra
 5. Rani Kumari, daughter of Sanjay Mishra
 6. Aradhana Devi, wife of Rajeev Mishra @ Pintu Mishra
- All are resident of Village-Darela, P.S.-Guthani, District-Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-01-2018 The petitioner has sought cancellation of bail of

opposite party Nos. 2 to 6 on the ground that they are threatening

the petitioner of dire consequences in case she deposed against

them before the Court.

The opposite party Nos. 2 to 6 were granted bail

by the learned Chief Judicial Magistrate, Siwan in connection with

Guthani P.S. Case No. 150 of 2016 dated 05.12.2016 which was

instituted for the offences under Sections 498A, 323, 406, 34 of

the Indian Penal Code.

From the order dated 11.01.2017, whereby the

opposite party Nos. 2 to 6 were granted bail, it appears that

Bankey Bihari Mishra, opposite party No. 2 was 75 years of age



whereas Sanjay Mishra, Sheela Devi, Rani Kumari and Aradhana Devi(opposite party Nos. 3 to 6) were staying separately from the opposite party No. 2 and others. While granting bail, the learned Court below took into account the fact that the husband of the petitioner, who was student of Chandra Dental College, Safebad went missing and could not be traced. For the aforesaid, a report was lodged by the opposite party No. 2 regarding his son having gone missing.

From the order impugned, it appears that considering the relationship of the parties in the case of 498A I.P.C, the opposite party Nos. 2 to 6 were granted bail.

The allegation of threatening doled out by the opposite party Nos. 2 to 6 has not been substantiated by the petitioner.

Thus, no cause has been shown by the petitioner to interfere with the order dated 11.01.2017 by which the opposite party Nos. 2 to 6 have been granted bail.

The petition, is, therefore, rejected.

(Ashutosh Kumar, J)

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