

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8755 of 2017

Arising Out of PS. Case No.-177 Year-2015 Thana- SULTANGANJ District- Bhagalpur

Manoj Mandal

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-03-2018 Heard.

The present application has been filed for cancellation of bail granted to opposite party no.2 vide order dated 15.12.2015, passed in Criminal Miscellaneous No. 56590 of 2015 in connection with a case registered under Section 498A of the I.P.C. and sections 3/4 of the Dowry Prohibition Act.

The present application for cancellation of bail has been filed reiterating the nature of accusation as it is claimed by the petitioner that some burn injuries was caused to her at the behest of opposite party no.2.

This Court granted bail to the opposite party no.2 being husband of the informant since he was in custody for about three months and statement was made in paragraph no.11 of the petition that opposite party no.2 was ready to keep the informant



as wife with full dignity and honour. The parameter for grant of bail and its cancellation are quite different. The bail cannot be cancelled by a *de novo* appreciation of the accusation.

However, so far as undertaking of opposite party no.2 with regard to keeping the petitioner as wife with full dignity and honour is concerned, it is expected from the learned Court below to make an effort to reconcile the issue, which can be done at any stage, as has been held in the case of K. Srinivas Rao Vs. D. A. Deepa, reported in (2013) 5 SCC 226.

Accordingly, this Court finds no merit in the application, it is dismissed.

(Dinesh Kumar Singh, J)

Ashwini/-

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