

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9901 of 2018**

Arising Out of PS.Case No. -17 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Rahul Kashyap, Son of Pankaj Kashyap, Resident of Mohalla- 121/1 Green Park, A Block Jessor Road, P.S.- Lake Town, District- Kolkata (W.B.)

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Puja Kumari, Wife of Rahul Kashyap, Daughter of Chandra Narayan Singh, at present Resident of Village- Pakardih Mocharim, P.S.- Bodh Gaya, District- Gaya.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      28-02-2018

Heard the parties.

Earlier the petitioner was granted provisional bail for a period of six months on the condition that he will take his wife with him and try to live with her with all dignity and care, vide order dated 06.04.2017 passed in Cr. Misc. No. 14916 of 2017.

Submission of learned counsel for the petitioner that thereafter a petition was filed by the complainant for cancellation of bail bond of the petitioner as the petitioner is avoiding the order of the court and thereafter the bail bond of the petitioner was cancelled. The petitioner has now filed present on



application on the ground that he is ready to give her maintenance, if any amount is fixed, but without hearing the parties, his bail bond was cancelled.

Heard learned A.P.P. also.

Having hear both sides and from perusal of the discussion as made above, it appears that as the anticipatory bail application is not maintainable. As the bail bonds of the petitioner has already been cancelled, however, if the petitioner surrender before the concerned court below and make proposal to give considerable amount to opposite party no. 2 and which is acceptable to opposite party no. 2, the court below shall consider the proposal of the petitioner and after hearing opposite party no. 2 shall pass an appropriate order considering the offer of the petitioner.

With the aforesaid observation, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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