

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25977 of 2019**

Arising Out of PS. Case No.-122 Year-2018 Thana- LALGANJ District-
Vaishali

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AARTI KUMARI, aged about 21 years, female, Wife of Manohar Kumar Singh Resident of Village - Poorkhuli, P.S.- Lalganj, Distt.- Vaishali , At Present D/o Rajendra Mahto Resident of Mohalla Power House Road Chutiya, P.S.- Chutiya Distt.- Ranchi (Jharkhand)

... .. Petitioner

Versus

1. The State of Bihar
2. Manohar Kumar Singh Son of Late Brahmdeo singh Resident of Village - Poorkhuli , P.S.- Lalganj, Distt.- Vaishali,

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Ranjit Kumar Thakur
Mr. Devendra Kumar, Advocates.
For the O.P. NO. 2 : Mr. Sunil Kumar Pathak, Advocate.
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 24-07-2019 The present petition has been filed for cancellation of anticipatory bail granted to the opposite party no. 2 by order dated 08.10.2018 in Cr. Misc. No. 55959 of 2018 in connection with Lalganj P.S. Case No. 122 of 2018.

2. Learned counsel for the petitioner invites reference to paragraph-3 of the aforesaid order dated 08.10.2018 wherein this Court took note of the specific stand of the opposite party no. 2 that he had not solemnized marriage and had expressed that he was ready and willing to keep the petitioner with due dignity and honour. It is stated however that the opposite party no. 2 had



already performed second marriage much earlier on 16.04.2018 with one Suman Kumari as evident from the marriage certificate issued by Baba Pataleshwar Nath Temple (Annexure-3). It is therefore submitted that the opposite party no. 2 has obtained the order of anticipatory bail upon making a mis-statement before this Court and suppressing the fact of his earlier marriage.

3. Notice was issued to opposite party no. 2 pursuant to which he has entered appearance. An opportunity to file counter affidavit was also granted to the opposite party no. 2 but none has been filed controverting the stand of the petitioner.

4. In the above circumstances and considering that the petitioner had been granted anticipatory bail relying on his statement that he had not solemnized another marriage and that he has not controverted the facts to the contrary as stated by the petitioner. The anticipatory bail granted to the opposite party no. 2 by order dated 08.10.2018 in Cr. Misc. No. 55959 of 2018 is hereby cancelled. The learned Court below shall proceed in the matter forthwith.

(Vikash Jain, J)

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