

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26369 of 2019

Arising Out of PS. Case No.-1149 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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SUBHA Wife of Manish Kumar Dubey, Daughter of Dr. Shivji Mishra
Resident of Mohalla-North Sri Krishnapuri, Flat No.201, Divyakanti
Mension, P.S. Sri Krishnapuri, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Srinath Dubey, Son of Paras Nath Dubey, Resident of Village-Lakhandihra,
P.O and P.S-Dumraon, District-Buxar.
3. Bimla Devi, Wife of Srinath Dubey, Resident of Village-Lakhandihra, P.O
and P.S-Dumraon, District-Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sandeep Shahi, Adv. Mr. Shankar Kumar Choudhary, Adv. Mr. Amish Kumar, Adv.
For the State	:	Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-05-2019 This application has been filed for cancellation of bail

granted to opposite party nos.2 & 3 vide order dated 28.02.2019

passed in Cr. Misc. No. 12497 of 2019.

Ground for cancellation of bail is that submission of

learned counsel for the petitioner was that S.A shows that that she

is residing with her husband since 2015, but that does not appear

from her statement on solemn affirmation and further also made

threatening to the petitioner of the present case for which she has

also informed the police station.

Heard learned APP also.



Having heard both sides, from perusal of the record of Cr. Misc. No. 12497 of 2019 it appears that the submission of learned counsel for the petitioners was that S.A. shows that she is residing with her husband since 2015 and she does not want to live with the petitioners and the prayer for anticipatory bail is allowed.

The petitioners of Cr. Misc. No. 12497 of 2019 were father-in-law and mother-in-law and solemn affirmation shows that she does not want to reside with the petitioners, as such prayer for bail was allowed, no doubt it appears that there is also submission that she was residing with her husband since 2015, but the same appears to be mistake on the part of the opposite party nos.2 & 3. It is well settled that once privilege of bail is granted, the court should be reluctant to cancel the same, unless there are some grave ground. Second ground that the petitioner (opposite party no.2) in Cr. Misc. No. 12497 of 2019 was threatened after the grant of the bail for which she lodged an information to the police station, but no report of the police is available on record.

As such, I do not find sufficient grounds for cancelling the bail bonds of the opposite party nos. 2 & 3.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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