

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42450 of 2019

Arising Out of PS. Case No.-32 Year-2017 Thana- MAHILA District- Munger

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JYOTI KUMARI Daughter of Late Bishwanath Prasad Resident of Village - Jamaluddin Chak, P.S.- Khagaul, District - Patna, resides presently at Police Cant, Mahila Barak, P.S. - Kotwali, Dist. - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niraj Kumar Son of Ajay Prasad Resident of Village - Masria, P.S. - Murar, Dist.- Buxar at present Police Barak Munger, P.S.- Kotwali, District - Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2019 Heard learned counsel for the parties.

This application has been filed for cancellation of bail granted to O.P.no.2 by the learned I/C Sessions Judge, Munger , vide order dated 9.3.2018 passed in A.B.P.no.223 of 2018. Grounds for cancellation of the bail is that after release on bail, O.P.no.2 started giving threatening to the petitioner and for that she has lodged *Sanha* also.

It has also been submitted that this is a rape case and the anticipatory bail has been granted by the I/C Sessions Judge, Munger.

Heard learned A.P.P. and on perusal of order dated 9.3.2018 passed in A.B.P.no.223 of 2018 it appears that



considering the fact that the petitioner is major and the informant is also major and both parties are doing job in the same office, as such without consent of both the parties, the episode may not be possible, the I/C Sessions Judge has granted bail to the peitioner. Further, it appears that a *Sanha* has been lodged but there is no inquiry in that *Sanha*, as such at this stage, I am not inclined to cancel the bail bond of the O.P.no.2.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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