

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54327 of 2016

Arising Out of PS. Case No.-47 Year-2014 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Rima Kumari

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dronacharya

For the Opposite Party/s : Mr.Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-02-2019 Heard learned counsels for the parties.

The present application has been filed for cancellation of bail granted to O.P. No. 2 vide order dated 23.8.2016 passed in Cr. Misc. No. 36243 of 2016.

The O.P. No. 2 being the husband of the complainant, preferred Cr. Misc. No. 36243 of 2016 for a custody-bail in connection with Complaint Case No. 47C of 2014 wherein process was directed to be issued after cognizance being taken for the offences under Sections 498A and 494 of the IPC and Section 4 of Dowry Prohibition Act.

The basic accusation was of torture for non-fulfillment of dowry demands and performance of second marriage.

This Court, while considering the Complaint Case No.



2514 C of 2013 filed by O.P. No. 2 against the complainant-petitioner and the period under custody of O.P. No. 2, granted bail to him.

Mr. Dronacharya, learned counsel for the petitioner has tried to persuade this Court to re-examine the issue of grant of bail on merits.

The parameters for grant of bail and its cancellation are quite different. The bail is granted on consideration of the nature of accusation but once the bail is granted, its cancellation is considered primarily on the ground that the accused has violated the conditions of bail, particularly, misused the privilege of liberty.

There is nothing on record to suggest that O.P. No. 2 has misused the privilege of bail. Hence, this Court is not inclined to interfere in the matter.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

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