

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72711 of 2018

Arising Out of PS. Case No.-1581 Year-2013 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Puja Mehta Wife of Pankaj Kumar, Resident of Mohalla- Mirjapur, P.O. +
P.S.- Civil Lines, Dist.- Darbhanga.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Pankaj Kumar, Son of Dr. Kailash Chandra Kakkar, resident of Sapna
Appartment, Flat NO. A/ 103, Ramnagri, Sector III, Ashiana Nagar, P.S.
Sastrinagar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-02-2019 Heard both sides.

The petitioner filed this petition for cancellation of
provisional bail granted to O.P. No.2 on 23.06.2015 in Cr. Misc.
No.4884 of 2015.

Learned counsel for the petitioner submits that with
the consent of the petitioner, her husband was granted
provisional bail on 23.06.2015 in Cr. Misc. No.4884 of 2015
with a direction to the learned court below that if the husband
and wife resolves their disputes amicably and the husband keeps
his wife properly, the provisional bail granted to the husband-
O.P. No.2 shall be confirmed. It is submitted that O.P. No.2 was
ready to keep his wife and thereafter the provisional bail was



confirmed on 17.02.2017 but again the O.P. No.2 started subjecting the petitioner to all sorts of torture and for that, the petitioner gave information to the police. It is submitted that O.P. No.2 has breached the condition of bail and, therefore, the bail granted to O.P. No.2 is liable to be cancelled but I do not find any reason to cancel the bail granted to O.P. No.2. Learned court below being fully satisfied that O.P. No.2 kept his wife properly confirmed the provisional bail granted to O.P. No.2. Thereafter, the petitioner alleged that she was subjected to all sorts of torture. Such allegation is yet to be verified but making such allegation does not warrant cancellation of bail once granted to the husband-O.P.No.2 and no condition for cancellation of bail is fulfilled.

Taking into consideration the aforesaid facts, the petition for cancellation of bail is dismissed.

(Prabhat Kumar Jha, J)

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