

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30889 of 2019

Arising Out of PS. Case No.-955 Year-2017 Thana- COMPLAINT CASE District- Jamui

ASHA DEVI @ AASHA DEVI D/o Yugal Pandit, and Wife of Anandi Kumar Choudhary Resident of Village - and P.O.- Lachhuar, P.S.- Sikandra, Distt.- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anandi Kumar Choudhary Son of Kishore Choudhary Resident of Village and P.O.- Lachhuar, P.S.- Sikandra, Distt.- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Prakash
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 26-02-2020 This application has been filed for cancellation of anticipatory bail granted to opposite party no. 2 by learned 1st Additional Sessions Judge, Jamui in A.B.A. No. 1203 f 2018 in connection with Complaint Case No. 955C /2017 registered for offences punishable under Sections 323, 504, 313, 506 of the Indian Penal Code.

Ground for cancellation of the anticipatory bail of opposite party no. 2 is that in spite of cognizance under Section 313 I.P.C., and there is allegation against opposite party no. 2 of torturing the petitioner but the same has not been considered by the learned Additional Sessions Judge, as such, he has come for cancellation of anticipatory bail granted to opposite party no. 2.



Heard learned A.P.P. and perused the impugned order, from which, it appears that learned Sessions Judge considering the fact that there is no document produced to show the allegation of miscarriage of pregnancy of petitioner and also after considering the statement of enquiry witnesses, has granted the privilege of anticipatory bail and further there is no case of misused of privilege of bail or tampering with the evidence or of any chance of opposite party no. 2 of absconding in this case.

In view of the discussions made above, I do not find any merit in this application, same is accordingly dismissed.

(Vinod Kumar Sinha, J)

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