

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50670 of 2017

Arising Out of PS. Case No.-168 Year-2012 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Chandani Khatoon W/o Md. Javed, Resident of Village- Bangwaria, P.S.-
Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Md. Javed S/o Md. Anwarul @ Barhawa, Resident of Village- Bangwaria,
P.S.- Bisfi, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ratanakar Jha
For the Opposite Party/s	:	Mr.Abhay Kumar Roy
For O.P. No.2	:	Mr. Gagandeo Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 19-02-2020 This application has been filed for cancellation of bail granted to opposite party No.2 by order dated 29.4.2017 passed by learned Sessions Judge, Madhubani in B.P. No. 524 of 2017 in connection with Complaint Case No. 168 of 2012 instituted for the offences under Section 498A IPC and Section 4 of Dowry Prohibition Act.

The only ground for cancellation of bail is that learned Sessions Judge has not tried for settlement between the parties and he has granted bail to opposite party No.2 though in such type of cases settlement between the parties ought to have been done.

Heard learned APP and learned counsel for opposite



party No.2, who has opposed this application stating that this application is not for cancelling anticipatory bail, rather regular bail was granted to opposite party No.2 considering the period of custody also and as such no purpose will be served in sending the case for mutation, as such learned Sessions Judge has granted bail to opposite party No.2.

Having considering the submissions made above, I find that so far chance of mutation is concerned, that has already been diminished in view of the fact that petitioner has already been taken into custody. As such I find no force in the argument advanced by learned counsel for the petitioner.

Accordingly, I find no merit in this application, which is dismissed.

(Vinod Kumar Sinha, J)

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