

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18083 of 2018

Arising Out of PS. Case No.-824 Year-2014 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Anita Kumari Wife of Ajit Kumar and Daughter of Anandi Prasad Resident of Village- Usmanpur, Police Station- Nagarnausa, District- Nalanda, Presently Residing at Village-Daha Bigha, Police Station- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ajit Kumar Son of Munna Prasad aged about 28 years Resident of Village- Usmanpur, Police Station- Nagarnausa, District- Nalanda, Presently Residing in the House of Lal Babu as tenant situated at Saheb Tola Bihiya, Police Station- Bihiya, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-03-2020 This application has been filed for cancellation of anticipatory bail granted to opposite party No.2 by learned 1st Additional Sessions Judge, Hilsa, Nalanda by order dated 18.1.2018 in A.B.P. No. 991/2017/126/17 in connection with Complaint Case No. 824 of 2014 lodged under Sections 323 and 498A of the Indian Penal Code.

The ground for cancellation is that petitioner is still ready to reside with opposite party No.2 but in the order granting bail it has wrongly been mentioned that she is not ready to reside with the opposite party No.2, hence order granting anticipatory bail is not sustainable.



Heard learned APP and perused the order, from which it appears that petitioner was informed in writing to reside with the opposite party No.2 but she has refused to reside with opposite party No.2 and considering the same anticipatory bail was granted to opposite party No.2 in the year 2018 and there is no case of misuse of privilege of bail or tampering with the evidence or there is any chance of absconding of opposite party No.2, as such I am not inclined to interfere with the order granting bail to opposite party No.2.

Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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