

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72986 of 2019

Arising Out of PS. Case No.-21 Year-2018 Thana- MAHILA P.S. District- Rohtas

Kiran Devi @ Kiran Kumari Wife of Vikash Chandra Gupta and Daughter of Shri Din Dayal Gupta Resident of Mohalla-Neel Kothi, Biran Bigha, Tridandi Swami Ashram, Ward No.28, Police Station-Dehari, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Chandra Gupta Son of Late Bhup Narayan Gupta Resident of Village-Nauli, Police Station-Sohwal, District-Gazipur (State of Uttar Pradesh), At Present of Mohalla-Ganesh Nagar, Pando Nagar near Hanuman Mandir, Priya Photo Studio, Upper side of Raju Jee Bartan Shop, House No. A/57, Near Akshar Dham Metro Station, New Delhi, Pin No.110092.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and learned counsel for the State.

This application has been filed by the petitioner seeking cancellation of bail granted to the O.P. No. 2 vide order dated 11.02.2019 passed in Cr. Misc. No. 80706 of 2018 in connection with Rohtas Mahila P.S. Case No. 21 of 2018 registered *inter alia* under Section 498(A) of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

It is contended by the learned counsel for the petitioner that in the application filed before this Court, the O.P.



No. 2 had taken a plea that he is ready to keep his wife with dignity and honour. However, after grant of bail, he has not taken the petitioner to her matrimonial home. It is further contended that the conduct of the O.P. No. 2 disentitles him to be allowed to continue on bail granted by this Court vide order dated 11.02.2019.

It would be relevant to note that no direction was issued by this Court while granting bail to the O.P. No. 2 that he shall take the petitioner to her matrimonial home and keep her with dignity and honour.

The operative part of the order dated 11.02.2019 passed in Cr. Misc. No. 80706 of 2018 reads as under:-

“Be that as it may, considering the nature of allegation and pleas advanced before the Court, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Rohtas Mahila P.S. Case No.21 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.”



In the opinion of this Court, no case for
cancellation of bail is made out.

The application, being devoid of any merit, is
dismissed.

(Ashwani Kumar Singh, J)

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