IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2844 of 2019

Kanchan Devi … Petitioner

Versus

The State of Jharkhand & Ors. … Opposite Party

Coram: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. S.B. Deo, Adv.
For the State : Mr. S.K. Jha , Addl. P.P.
For the Opposite parties : M/s Kaustav Panda, Nagmani Tiwari, Advs.

06 / 04.12.2020 Heard the parties through Video Conferencing.

This criminal miscellaneous petition has been filed under section 482 and section 439 (2) Cr.P.C. by the petitioner with a prayer for cancellation of the order dated 26.02.2019 passed in ABA No. 6694 of 2018.

It is submitted by learned counsels for the opposite party nos. 2 and 3 that the opposite party nos. 2 and 3 were granted the privilege of anticipatory bail vide order dated 26.02.2019 passed in ABA No. 6694 of 2018 subject to the condition of their jointly depositing Rs. 3,50,000/- by way of demand draft drawn in favour of informant within 4 months from the date of that order but as they could not arrange money to be deposited within the stipulated time, hence they could not surrender before the court below and this petition has been filed after expiry of the period of four months of the order dated 26.02.2019 but as after four months of the order dated 26.02. 2019, the order passed by this court in ABA No. 6694 of 2018 has ceased to exist, hence, this petition is an infructuous petition.

Perusal of the record this court finds force in the submission of the opposite party nos. 2 and 3, hence, this court does not find any justifiable reason to cancel the order dated 26.02.2019, the order passed by this court in ABA No. 6694 of 2018 which ceased to exist by efflux of time, accordingly this criminal miscellaneous petition is dismissed being in fructuous.

(**ANIL KUMAR CHOUDHARY, J.)**