

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72373 of 2018

Arising Out of PS. Case No.-101 Year-2015 Thana- COMPLAINT CASE District- Supaul

Abha Kumari @ Prativa Kumari @ Abha Wife of Anil Kumar Roy Resident of Village- Chapi, P.S. Bhimpur, District- Supaul, at Present D/o Bechan Roy, resident of Village-Hari, P.S. Marauna, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar Roy@ Anil Roy Son of Shri Surya Naryan Roy Resident of Village- Chapi, P.S. Bhimpur, District- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No. 13
		Mr. Rohit Kumar
For the State	:	Mr. Rajeev Nayan
For the O.P. No.2	:	Mr. Amrit Abhijat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 31-08-2022 Heard learned counsel for the parties.

The present application has been preferred to cancel the anticipatory bail of opposite party no.2, which was granted vide order dated 16.08.2016 passed in Cr. Misc. No.10711 of 2016 by a co-ordinate Bench of this Court.

Opposite Party no.2 was granted bail on the undertaking that he will pay Rs.3000/- per month to the complainant (petitioner) from September, 2016 by depositing the same in the bank account of the complainant by second week of every succeeding month. It is also mentioned in the said order that on three consecutive defaults in making payment will



give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner (opposite party no.2).

Learned counsel for the opposite party no.2 submits that the maintenance case filed by the petitioner has stood dismissed for default, hence he has no liability to pay any amount.

After hearing the parties and perusing the case record, it appears that the opposite party no.2 has willfully violated the order of this Court.

In such view of the matter, the order dated 16.08.2016 passed in Cr. Misc. No.10711 of 2016 is hereby recalled and the bail bonds furnished by the opposite party no.2 is cancelled.

Accordingly, this application is allowed.

(Anjani Kumar Sharan, J)

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