

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10866 of 2021

Arising Out of PS. Case No.-49 Year-2019 Thana- MAHILA PS District- Aurangabad

Khushboo Kumari, Wife of Santan Kumar, D/o Amarjit Paswan, Resident of
Village- Lakshanaiti, P.O.- Chilam, P.S.- Sherghati, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Santan Kumar, Son of Parikha Paswan, Resident of Village-Baijal, P.O.-
Bedauli, P.S.- Amba, District- Aurangabad (Bihar).

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party : Mr. Mrityunjaya Kumar Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-04-2022 Heard learned counsel for the petitioner and
learned counsel for the State.

This application under Section 439(2) of the Code of Criminal Procedure has been filed on behalf of the petitioner for cancellation of pre-arrest bail granted to the opposite party no.2 vide order dated 02.09.2020 passed in Cr. Misc. No.12617 of 2020 in connection with Aurangabad Mahila P.S. Case No.49 of 2019 registered under Sections 341, 323, 498A and 494 read with 34 of the Indian Penal Code.

Learned counsel appearing for the petitioner submitted that the bail has been granted to the opposite party no.2 in a serious case of Section 498-A and 494 of the Indian



Penal Code. He submitted that during the lifetime of the petitioner, the opposite party no.2 married another lady, namely, Sanju Devi. He contended that looking at the allegations made in the first information report, this Court ought not to have granted bail to the opposite party no.2.

Apparently, the application is misconceived. The prayer for bail of the opposite party no.2 was allowed by this Court after taking into consideration the facts and circumstances of the case. No cogent reason has been pleaded before the court on the basis of which the bail granted to the opposite party no.2 may be cancelled.

The application is devoid of any merit. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

