

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23241 of 2023**

Arising Out of PS. Case No.-3101 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Swastika Sinha, (F), age 37 years, W/O Vinay Kumar Sharma, D/O Kedarnath Sinha, R/o Mohalla- Aadarsh Gram, Road No.- 01, P.S.- Ahiyapur, District- Muzaffarpur, at present R/o village and P.O.- Kalyanpur, P.S.- Bidupur, District- Vaishali (Bihar)

... .. Petitioner

Versus

1. The State of Bihar.
2. Vinay Kumar Sharma, S/O Late Hem Narayan Sharma, R/v- Mafi, P.S.- Daudnagar (Daudpur), District- Saran at Chapra (Bihar) presently residing at Care of Sri Kant Pandey, Mohalla- Vishwanathpuri, Mithansarai Road, Lolhua Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Mani Bhushan Kumar, Advocate
For the State	:	Mr. Ramchandra Sahni, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The present application has been filed on behalf of the petitioner for cancellation of anticipatory bail granted to the opposite party no. 2, passed in Cr. Misc. No. 65587 of 2021, under order dated 30.11.2021, on the ground that there is tampering of witnesses.

3. There is no conclusive finding by any of the authority that either the petitioner is threatening to the witnesses or there is witnesses' statements recorded before the court or before the police stating that they are being threatened by the



petitioner.

4. I find no ground for cancellation of anticipatory bail in light of the judgments rendered by the Hon'ble Supreme Court in the case of *Dolat Ram and Others Vs. State of Haryana*, reported in (1995) 1 SCC 349, *Abdul Basit @ Raju & Others Vs. Mohd. Abdul Kadir Chaudhary and Another*, reported in (2014) 10 SCC 754 and *Jagjeet Singh and Others Vs. Ashish Mishra @ Monu and Another*, reported in (2022) 9 SCC 221.

5. Accordingly, the present application filed for cancellation of anticipatory bail granted to the opposite party no. 2, stands dismissed.

6. If so advised, the petitioner may file an application before the Family Court with a competent jurisdiction for redressal of her grievance.

7. If any such application is filed on behalf of the petitioner, the same shall be disposed of expeditiously by the court of competent jurisdiction.

(Sudhir Singh, J)

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