

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42411 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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CHANDA KHATOON Wife of Asim Siddique Daughter of Mustafa, Resident of Village - Basilpur, Post - Hariharpur, Lalgah, P.S.- G. B. Nagar (Tarwara), District - Siwan. At present resident of Village - Habibpur, P.O.- Mohammadpur, P.S.- Barharia, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asim Siddique Son of Nesar Ahmad Resident of Village - Basilpur, Post - Hariharpur, Lalgah, P.S.- G. B. Nagar (Tarwara), District - Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Devika Rani
For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present application has been preferred on behalf of the petitioner to cancel the bail bond of opposite party no.2, who was granted anticipatory bail vide order dated 24.03.2023 passed in Cr. Misc. No.2010 of 2023.

3. Learned counsel for the petitioner *inter alia* submits that opposite party no.2 is not paying Rs.5,000/- to her in compliance of the order dated 24.03.2023, hence his bail bond may be cancelled.

4. It appears that the remedy of the petitioner is



already available in the order itself, which is reproduced herein
below:

“....It is made clear that if the
petitioner fails to pay the
aforesaid amount on two
consecutive months, opposite
party no.2 shall be at liberty to
move before the learned Court
below for cancelling the bail
bond of the petitioner....”

5. In such view of the matter, the remedy of the
petitioner lies before the learned Court below and not before this
Court and this application is dismissed.

(Anjani Kumar Sharan, J)

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