

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52804 of 2021

Arising Out of PS. Case No.-434 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Vimala Devi Wife Of Gautam Prasad Saw R/O - Purqani Bazar, In Front Of
Rani Sati, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rahul Kumar @ Jhandu Son Of Late Arjun Saw R/O Village- Kabaiya
Road, Ward No.5, P.S.- Kabaiya, District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-07-2023 Heard.

The present application has been filed with a prayer to cancel the anticipatory bail granted to the opposite party No. 2 by order dated 27-07-2021 passed in Cr. Misc. No. 8289 of 2021.

It has been submitted on behalf of the petitioner that in the main bail application bearing Cr. Misc. No. 8289 of 2021, at paragraph-3, an incorrect statement regarding the criminal antecedent of the petitioner was made. Counsel for the opposite party No. 2 appears and files a counter affidavit stating therein that due to an inadvertent mistake, the said statement was made. The petitioner had no intention to mislead the court.



Further, I find no ground for cancellation of anticipatory bail in the 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.

Accordingly, the present cancellation application stands disposed of.

(Sudhir Singh, J)

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