

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2608 of 2023

Arising Out of PS. Case No.-316 Year-2018 Thana- RAJIVNAGAR District- Patna

Jyoti Kumari Wife of Vivek Kumar, D/O Pradeep Singh @ Pradip Singh
Presently residing at Kurmi Tola, Maharajganj, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vivek Kumar Son of Satya Narayan Singh Resident of Nepali Nagar, P.O.-
Keshri Nagar, P.S.- Rajiv Nagar, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

13 15-12-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. This application has been filed for cancellation of
bail granted to the opposite party no. 2 *vide* order dated
04.09.2019 passed in Cr. Misc. No. 15908 of 2019, as contained
in Annexure-1.

3. Learned counsel for the petitioner submits that the
bail was granted to the opposite party no. 2 on the ground of
mediation report in which both the parties have settled the
dispute amicably with the terms and conditions, as contained in
mediation report. The opposite party no. 2/husband was also
ready to keep his wife/petitioner with full dignity and honour



but the opposite party no. 2 has not comply with the terms and conditions of the mediation report and did not keep his wife. Learned counsel further submits that the opposite party no. 2 has misled the petitioner and this Court.

4. Learned A.P.P. appearing for the State has not disputed the above submission made on behalf of the petitioner.

5. Considering the submissions advanced on behalf of the parties, this Court finds that the opposite party no. 2 had not complied with the terms and conditions as mentioned in the mediation report and had fraudulently obtained bail from this Court. Accordingly, the bail granted to the opposite party no. 2 vide order dated 04.09.2019 passed in Cr. Misc. No. 15908 of 2019 is, hereby, cancelled.

6. The application stands allowed.

(Arvind Srivastava, J)

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