

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10657 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- BELHAR District- Banka

KIRAN KUMARI D/O Jay Prakash Yadav, W/O Udit Prasad Yadav Resident
of Village- Dhankuriya, P.S.- Khesar, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Udit Prasad Yadav Son of Sri Lal Yadav Resident of Village- Gurunanak
Palli Gali No.-4, Near Musafarpur, P.S.- Hirapur, District- West Bardwan,
State- West Bengal

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vibhakar Kumar
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 03-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that
the instant application has been filed seeking cancellation of the
anticipatory bail granted to the O.P. No. 2 herein by an order
dated 15.12.2022 in Criminal Miscellaneous No. 47894 of 2022.
It is next submitted that O.P. No. 2 was granted the privilege of
anticipatory bail as he was ready to pay a monthly maintenance
of Rs. 8,000/- to the petitioner herein. It is further submitted that
O.P. No. 2 despite receiving notice in the instant case chooses
not to appear and contest, which amply demonstrates that O.P.
No. 2 has scant regards for the orders of this Court. It is next



submitted that after filing of the instant cancellation application, the petitioner came to know that O.P. No. 2 herein has not even surrendered in time in terms of the order dated 15.12.2022 in Criminal Miscellaneous No. 47894 of 2022. It is thus submitted that since O.P. No. 2 has not surrendered before the learned Trial Court, as such, no question of getting his bail cancelled arises since the O.P. No. 2 is not on bail and even the time for surrender has expired, thus, the learned counsel for the petitioner seeks permission to withdraw the cancellation application.

3. Permission is accorded.

4. Accordingly, the present cancellation application is dismissed as withdrawn.

(Satyavrat Verma, J)

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