

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50180 of 2018

Arising Out of PS. Case No.-198 Year-2015 Thana- FORBESGANJ District- Araria

Md. Farooque S/o Md. Sainul, Resident of Village- Madarganj, P.S.- Simraha,
District- Araria.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Asmina Khatoon, W/o Md. Farooque, Resident of Village- Madarganj, P.S.-
Simraha, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap , APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 01-05-2024 An order of cancellation of bail passed by the

learned Judicial Magistrate, Ist Class, Araria on 17th February,
2018 in connection with Forbesganj P.S. Case No. 198 of 2015,
corresponding to G.R. No. 1396 of 2015 is assailed in the
instant application under Section 482 of the Cr.P.C.

2. The petitioner is not represented on call.

3. No accommodation is sought for.

4. Therefore, this Court proceeds to dispose of the
instant application under Section 482 of the Cr.P.C. on merit on
the basis of the materials on record.

5. Having gone through the materials on record and
the orders passed by this Court at different points of time



granting provisional bail to the accused with some condition that the accused/petitioner shall keep his wife under his care and protection with all dignity and honour.

6. Since, the petitioner failed to perform such condition, the order of bail was cancelled.

7. It is needless to say that an order of bail, cancellation of bail etc. are inter locutory orders. Quashment of such order is not permitted because of the existence of adequate provision contained in the Code of Criminal Procedure for regular bail when a previous order of bail is cancelled.

8. In view of such circumstances, this Court finds that the instant application under Section 482 of the Cr.P.C. is not maintainable and is liable to be dismissed.

9. Accordingly, the application under Section 482 is dismissed on merit.

10. This disposes of the instant application.

(Bibek Chaudhuri, J)

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