

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60202 of 2023

Arising Out of PS. Case No.-1714 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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RINA DEVI @ REENA KUMARI WIFE OF SHAILENDRA KUMAR
RESIDENT OF MOHALLA - MUSALAHPUR, CHAI TOLA,
CHANDRAVANSI LANE, P.O. - MAHENDRU, P.S. - KADAMKUAN,
DISTRICT - PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHAILENDRA KUMAR SON OF LATE MAHAVIR PRASAD
RESIDENT OF VILLAGE - DUJRA DEVI STHAN, P.S. - BUDHA
COLONY, DISTRICT - PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Mohan Kumar
For the Opposite Party/s : Mr. Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-08-2024 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of

the O.P. No. 2.

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 08.03.2019 in Criminal Miscellaneous No. 75375 of 2018.

3. The learned counsel for the petitioner submits that

petitioner is the wife of the O.P. No. 2. It is next submitted that

O.P. No. 2 had moved this Court seeking anticipatory bail by

filing Criminal Miscellaneous No. 75375 of 2018 and the



learned Single Judge by an order dated 08.03.2019 was pleased to grant the privilege of anticipatory bail to the O.P. No. 2 with a condition that he will make payment of Rs. 7,000/- per month to the petitioner from April, 2019 by depositing the same in the bank account of the petitioner herein by second week of every succeeding month.

4. The learned counsel appearing on behalf of the petitioner submits that the O.P. No. 2 herein accepted the said condition based on which he was granted the privilege of anticipatory bail, but then has paid only Rs. 7,000/- till date and thereafter has not paid a single farthing and is enjoying the privilege of anticipatory bail by breaching the orders of this Court dated 08.03.2019 in Criminal Miscellaneous No. 75375 of 2018.

5. The learned counsel appearing on behalf of the O.P. No. 2 is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that O.P. No. 2 herein, after being released on anticipatory bail, has paid only one installment of Rs. 7,000/-.

6. The conduct of the O.P. No. 2 herein is reprehensible for the reason that he is enjoying the privilege of anticipatory bail, but then is defying the condition of bail.



7. Accordingly, the anticipatory bail granted to the O.P. No. 2 herein by order dated 08.03.2019 in Criminal Miscellaneous No. 75375 of 2018 is hereby cancelled.

8. Let a copy of this order be sent to the Senior Superintendent of Police, Patna for his perusal and necessary action.

9. Accordingly, the present cancellation application stands allowed.

(Satyavrat Verma, J)

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