

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57966 of 2022

Arising Out of PS. Case No.-864 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Ankesh Kumar S/O Ram Nidhi Ram Resident Of- 6/241, Nizampur Malhaur ,
Near Amity University , P.S.- Chinhat , District- Lucknow, (Uttar Pradesh)
... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Bhagwan Prasad S/O Late Vishwanath Prasad Resident Of Mohalla-
Chaukhandi , Ward No.- 30 , P.S.- Sasaram (T) , District- Rohtas
3. Rani Devi W/O Ankesh Kumar And Daughter Of Sri Bhagwan Prasad
Resident Of Mohalla- Chaukhandi , Ward No.- 30 , P.S.- Sasaram (T) ,
District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-02-2024 This petition has been filed for quashing the order dated 06.09.2021 passed by learned S.D.J.M., Sasaram, District – Rohtas in Complaint Case No. 864 of 2018 whereby and whereunder, learned S.D.J.M. has been pleased to cancel the bail-bond of petitioner and office was directed to issue non-bailable warrant against this petitioner.

2. Learned counsel for the petitioner submits that vide order dated 14.09.2020 passed by this Court in Cr.Misc. No. 85167 of 2019, this petitioner was extended the privilege of provisional bail with following conditions:

***“...the court below shall make efforts for
resolution of the dispute between the husband***



and the wife. If the dispute is resolved amicably and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved amicably between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of six months.”

3. From bare perusal of the impugned order dated 06.09.2021, it appears that in spite of provisional bail granted to the petitioner, the petitioner neither presented himself before the learned Court below nor made any effort to resolve the dispute with the victim. It appears that petitioner is unwilling to resolve the dispute.

4. In view of aforesaid facts and circumstances, this Court is of the opinion that learned Court below has committed no error in cancelling the bail-bond of the petitioner and accordingly, the order impugned does not require any interference.

5. This petition is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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