

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9945 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- GAYA MUFASIL District- Gaya

Jyoti Singh WIFE OF Late Sunil Singh @ Sunil Kumar Singh Resident of
Village- Salempur Bahora Bigha, P.S.- Gaya Mufasil, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anjali Singh WIFE OF TEJ PRATAP SINGH Resident of Village- Bahora Bigha, P.S.- Gaya Mufasil, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhya Keshri Kumar, Sr. Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the O.P. No. 2	:	Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-04-2024 Heard Mr. Bindhya Keshri Kumar, learned Senior Counsel for the petitioner as also Mr. Bharat Bhushan, learned APP and Mr. Sanjeev Kumar, learned counsel representing the opposite party no. 2.

2. This application has been preferred for cancellation of regular bail granted to the opposite party no. 2 vide order dated 25.08.2023 in Cr. Misc. No. 54616 of 2023 in connection with Mufasil P.S. Case No. 178 of 2023 lodged on 11.02.2023 under sections 302, 120(B), 34 of the IPC and section 27 of Arms Act which is pending for trial before the concerned Court, Gaya.

3. Vide Cr. Misc. No. 54616 of 2023, the opposite



party no. 2 was granted bail on 25.08.2023 with conditions. It relates to killing of the husband of the petitioner herein and the opposite party no. 2 is own sister-in-law.

4. The cancellation petition has been preferred stating that once out of jail, she again started threatening the petitioner to take back the criminal case failing which she will have to suffer dire consequences. Considering threat to her life, the present petition.

5. In this case, Mr. Bharat Bhushan, learned APP was directed on 23.02.2024 to file an affidavit on behalf of the Station Head Officer, Mufassil P.S. Gaya on the steps that he took after the '*Sanha*' was presented by the petitioner.

6. The said counter affidavit, copy of which has been provided to the learned counsel for the petitioner on record. According to it, the husband of the opposite party no. 2 as also her minor son stay in the same house where the petitioner reside. Once out of jail, she wanted to meet her husband who is mentally disabled as also her minor son but was blocked by the petitioner stating that her husband is no more and the entry of the opposite party no. 2 may result into her own death. There was some verbal altercation between the two sister-in-laws after which the '*Sanaha*' came to be filed and accordingly,



proceeding under sections 107, 116(3) of the Cr.P.C. has been initiated.

7. This Court having gone through the report of the S.H.O., Muffasil P.S. Gaya, is convinced that no case of cancellation of bail is made out.

8. As the learned counsel on behalf of the opposite party no. 2 is appearing, he undertakes that the lady will not meet the petitioner and it has been informed by him that she has now gone to her parents home.

9. The Cr. Misc. No. 9945 of 2024 stands rejected.

(Rajiv Roy, J)

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