

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12869 of 2023

Arising Out of PS. Case No.-57 Year-2018 Thana- RUDRAPUR District- Madhubani

Kiran Jha @ Kiran Mishra @ Kiran Devi Wife Of Ganesh Chandra Jha R/O
House No. 2047/25 Gali No. 58 Near Sunil Dairy Molar Band, Dist- South
Delhi State Delhi At Present Residing At Her Naiher Being Daughter Of
Ramchandra Mishra, R/V- Satghara, P.S- Nabubarhi, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ganesh Chandra Jha Son of Shailendra Jha R/V- Harari , P.S- Rudrapur,
Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate
		Mr. Mohan Kumar Tiwari, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This Criminal Miscellaneous petition has been filed
for cancellation of anticipatory bail of opposite party no. 2
which was granted by the Co-ordinate Bench of this Court *vide*
order dated 26.07.2019 in connection with Cr. Misc. No. 46102
of 2019.

3. Learned counsel for the petitioner submits that this
Court had granted regular bail to O.P. No. 2 with direction to
him to co-operate with the trial of the case, but the O.P. No. 2 is
not co-operating with the trial of the case. Further, learned



counsel submits that the petitioner has not approached the trial Court for cancellation of bail of O.P. No. 2 as the bail was granted by Co-ordinate Bench of this Court.

4. Learned A.P.P. for the State pointed out that in the said order dated 26.07.2019, the Co-ordinate Bench of this Court has directed the O.P. No. 2 that he shall fully co-operate with the trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner, and in view whereof, the petitioner can approach the Trial Court to show that O.P. No. 2 is not co-operating in the trial and learned Trial Court can pass the appropriate order after hearing the parties in the light of the said direction.

5. At this stage, learned counsel for the petitioner submits that this case may be disposed of with the liberty to the petitioner to approach before the learned Trial Court by filing appropriate petition in view of the directions of this Court in the order dated 26.07.2019 passed in Cr. Misc. No. 46102 of 2019.

6. In view of the facts and circumstances of the case and considering the submissions advanced on behalf of the parties, the present case is disposed of with liberty to the petitioner to approach before the learned Trial Court by filing appropriate petition in view of the directions of this Court in the



order dated 26.07.2019 passed in Cr. Misc. No. 46102 of 2019
and on filing such petition, the learned trial Court may pass
appropriate order on the said petition in accordance with law
after hearing the parties.

(Sunil Dutta Mishra, J)

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