

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35080 of 2024

Arising Out of PS. Case No.-854 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Chanda Devi Wife of Dhananjay Kumar Resident of Village- Baikunthwa
Dabaria, Ward No. 02, Po- Mangalpur Gudariya, P.S.- Nautan, Dist- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupesh Kumar Sinha @ Niteshwar Kumar Sinha Son of Arun Kumar Sinha
Village- Pipra, P.S.- Govindganj, Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The learned counsel for the petitioner submits that the instant cancellation application has been filed by the petitioner, who was O.P. No. 2 in Cr. Misc. No. 68169 of 2019. It is submitted that the case was referred for mediation in Cr. Misc. No. 68169 of 2019. The mediation was successful and the O.P. No. 2 herein, who was petitioner in Cr. Misc. No. 68169 of 2019 agreed to pay an amount of Rs. 8,50,000/- by way of one time settlement to the daughter (victim) of the informant, as the victim is wife of the petitioner. Further, the amount of Rs. 8,50,000/- was to be paid within a period of four months from



17.08.2023 till 17.11.2023.

The learned counsel for the petitioner submits that since the dispute was resolved amicably in mediation proceeding and the O.P. No. 2 herein had agreed to pay an amount of Rs. 8,50,000/- as such, the O.P. No. 2 was granted the privilege of anticipatory bail by an order dated 25.07.2023 in Cr. Misc. No. 68169 of 2019. It is also submitted that the order dated 25.07.2023 also recorded that in the event, if the petitioner (i.e. O.P. No. 2 herein) does not pay the amount agreed within the stipulated time, in that event, the O.P. No. 2 (petitioner herein) shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the O.P. No. 2 herein.

3. The learned counsel submits that since O.P. No. 2 did not pay a single penny after he was granted the privilege of anticipatory bail by an order dated 25.07.2023, as such, the instant cancellation application has been filed.

4. It is submitted that the case was taken up on 26.03.2025, when notices were issued on O.P. No. 2. It is next submitted that from perusal of the office report dated 01.05.2025, it would manifest that O.P. No. 2 has received the notice personally, but then, has not appeared in the case. It is submitted that it appears that the O.P. No. 2 herein was only



interested in obtaining anticipatory bail but then was not interested in performing his part i.e., of paying Rs. 8,50,000/- within the time stipulated for resolving the dispute amicably.

5. It is also submitted that the conduct of the O.P. No. 2 amply demonstrates that despite receiving the notice personally, is evading the Court by not appearing.

6. The learned APP also submits that a person who tries to play tricks with the Court, no sympathy should be shown.

7. After hearing the learned counsel for the petitioner and the learned APP, the anticipatory bail granted to the petitioner by an order dated 25.07.2023 in Cr. Misc. No. 68169 of 2019 **is hereby cancelled.**

8. Let a copy of this order be communicated to the learned Trial Court.

(Satyavrat Verma, J)

Sudhanshu/-

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