

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53403 of 2025

Arising Out of PS. Case No.-95 Year-2014 Thana- CHAINPUR District- Kaimur (Bhabua)

Vina Devi W/O Chandan Kumar Village- Kharauda, Post- Parbatpur P.S.-
Chainpur, Distt.- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandan Kumar S/O Rajendra Paswan Village- Kharaura, P.S.- Chainpur,
Distt.- Kaimur at Bhabhua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present Criminal Miscellaneous petition has been filed for cancellation of bail granted to O.P. No. 2, vide order dated 28.04.2015 passed by this Hon'ble Court in Cr. Misc. No. 16076 of 2015, arising out of Chainpur P.S. Case No. 95 of 2014.

3. Learned counsel for the petitioner submits that for cancellation of bail of O.P. No. 2 two various petitions have been filed before the learned Trial Court but the Court has not passed any order.

4. Learned A.P.P. for the State submits that from



perusal of the record, it appears that the trial is in progress in which I.O. and Doctor concerned have been summoned by the learned Trial Court and the trial is likely to be concluded in near future. In view thereof, there is no merit in the petition of the petitioner.

5. Petitioner has relied on judgment of Hon'ble Supreme Court rendered in the case of ***Gajanan Dattatray Gore Vs. State of Maharashtra & Anr.*** reported in ***2025 LiveLaw(SC) 756*** and ***Deepak Yadav Vs. The State of Uttar Pradesh*** in ***Cr. Appeal No. 861 of 2022, arising out of S.L.P. (Crl.) No. 9655 of 2021.***

6. Law is well settled that cancellation of bail is distinct from revocation of an order granting bail. If the order granting bail is perverse one or passed on irrelevant material, it can be annulled by the Superior Court. There is also a distinction between the concept of setting aside an unjustified, illegal or perverse order and cancellation of an order of bail on the ground that accused has misconducted himself or certain supervening circumstances warrant such cancellation.

7. This Court finds that the order granting bail to O.P. No. 2 by this Court cannot be said as unjustified, illegal or perverse order. In view of the aforesaid facts and circumstances,



no case is made out for cancellation of bail of O.P. No. 2.
Accordingly, this case is dismissed.

(Sunil Dutta Mishra, J.)

rakhi/-

U		T	
---	--	---	--

