

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72238 of 2025

In
CRIMINAL MISCELLANEOUS No.24492 of 2024

Arising Out of PS. Case No.-52 Year-2019 Thana- MAHILA PS District- Darbhanga

Sanjay Kumar Jha S/o Ram Udar Jha R/o Village- Machhaita, PS- Sakatpur,
Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Aarti W/o Sri Sanjay Kumar Jha R/o vill - Machhaita, P.s.- Sakatpur,
Distt.- Darbhanga, D/o Anil Choudhary, R/o vill- Nadiyami, P.s.- Sakatpur,
Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam Shah, Adv
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-10-2025 1. Heard learned counsel for the petitioner and
learned APP for the State, Shri Chandra Bhushan Prasad.

2. Learned counsel for the petitioner submits that petitioner had earlier moved before this Court seeking anticipatory bail by filing Cr. Misc No. 39069 of 2022. It is next submitted that Cr. Misc No. 39069 of 2022 was allowed by an order dated 11-7-2023. It is further submitted that the OP No. 2 in Cr. Misc No. 39069 of 2022 filed Cr. Misc No. 24492 of 2024 for cancelling the order dated 11-7-2023 in Cr. Misc No. 39069 of 2022 whereby the petitioner herein was granted the privilege of anticipatory bail.



3. It is next submitted that in Cr. Misc No. 24492 of 2024 after notice the petitioner herein, who was OP No. 2 in the said case, appeared and after hearing the learned counsel for the parties, the Court cancelled the anticipatory bail granted to the petitioner by order dated 11-7-2023 in Cr. Misc No. 39069 of 2022, by an order dated 25-7-2025 in Cr. Misc No. 24492 of 2024.

4. Learned counsel for the petitioner submits that the instant modification application has been filed for modifying the order dated 25-7-2025 in Cr. Misc No. 24492 of 2024 on the ground that the petitioner and the OP No. 2 have performed their marriage and OP No. 2 is staying with the petitioner and she does not intend to pursue the criminal case instituted by her against the petitioner. It is next submitted that since petitioner and OP No. 2 have performed their marriage, as such the anticipatory bail which was granted to the petitioner by order dated 11-7-2023 in Cr. Misc No. 39069 of 2022 be restored.

5. The learned APP, Shri Chandra Bhushan Prasad opposes the modification application and submits that if what has been submitted by the learned counsel for the petitioner is correct, in that event he has a remedy of filing second anticipatory bail application under changed circumstances



instead of seeking modification of the order by which anticipatory bail granted to the petitioner was cancelled.

6. The learned counsel appearing on behalf of the petitioner, at this stage, seeks permission to withdraw the instant modification application with liberty to file second anticipatory bail application on behalf of the petitioner under changed circumstances.

7. Permission is accorded.

8. Accordingly, the modification application is dismissed as withdrawn.

(Satyavrat Verma, J)

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