

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1271 of 2026

Arising Out of PS. Case No.-41 Year-2025 Thana- MAHILA P.S. District- Patna

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Smirti Kumari W/O Vikas Kumar R/O Village- Bandhpar, Ramchandrapur,
P.S.- Laheri, Bihar Sharif, Dist.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar S/O Ravi Shankar Prasad R/O Mohalla- Vikas Bhawan,
Janakdhari Lal Road Bhattipar, P.S.- Danapur, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Naresh Prasad
For the Opposite Party/s :	Mr. Bhanu Pratap Singh
For the O.P. No. 2 :	Mr. Anjani Kumar Jha, Advocate
	Ms. Anita Kumari Sharma, Advocate
	Mr. Vishwa Shri Rajendra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 23-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present application has been filed seeking
cancellation of the anticipatory bail granted to Opposite Party
No. 2 (the husband) by order dated 17.09.2025 passed in A.B.P.
No. 1864 of 2025 by the learned District & Additional Sessions
Judge-XXI, Patna, in connection with (Mahila) Thana P.S. Case
No. 41 of 2025, registered under Sections 115(2), 126(2), 85,
351(2), 352 and 385 of the Bharatiya Nyaya Sanhita, 2023, as
well as Sections 3 and 4 of the Dowry Prohibition Act.



3. Learned counsel for the petitioner submits that after the grant of anticipatory bail, Opposite Party No. 2 has violated the conditions of bail and has indulged in acts which furnish sufficient grounds for cancellation of the privilege of anticipatory bail. It is, therefore, prayed that the bail granted to Opposite Party No. 2 be cancelled.

4. Having considered the submissions made on behalf of the petitioner and taking note of the nature of the allegations, this Court is of the opinion that the grounds urged for cancellation of bail involve disputed questions of fact which are required to be examined by the Court which granted the anticipatory bail.

5. Accordingly, without expressing any opinion on the merits of the case, the present application is disposed of with liberty to the petitioner to file an appropriate application for cancellation of anticipatory bail before the Court concerned on the grounds urged in the present application.

6. If any such application is filed, the same shall be considered and disposed of by the court concerned, in accordance with law, preferably within 15 days from the date of its filing.

7. Let a copy of this order be communicated to the



Principal District & Sessions Judge, Patna, through FAX/e-mail
for information and necessary compliance.

(Sandeep Kumar, J)

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