

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10109 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- BUDDHACOLONY District- Patna

Alpana Kumari Daughter Of Shri Shankar Prasad Resident Of Village- Bihari
Sao Lane, Po- Bankipur, Ps- Pirbahore, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravi Ray Son of Late Deoki Ray Resident Of Village- Krischan Colony,
Nirmala Apartment, Lodipur, Ps- Budha Colony, Dist- Patna
3. Rita Devi @ Rita Kumari Wife Of Ravi Ray Resident Of Village- Krischan
Colony, Nirmala Apartment, Lodipur, Ps- Budha Colony, Dist- Patna
4. Kumar Saurabh Son Of Ravi Ray Resident Of Village- Krischan Colony,
Nirmala Apartment, Lodipur, Ps- Budha Colony, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kr. Upadhayay, Advocate Mr. Raju Prasad, Advocate Ms. Tetara Kumari, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 22-01-2026 Heard learned counsel for the petitioner, learned A.P.P
for the State and learned counsel appearing for the Opposite Party
No. 2.

2. The present application has been filed for cancellation
of bail of the Opposite Parties Nos. 2, 3 and 4 who has been directed
to be released on anticipatory bail by order dated 19.09.2023 passed
in ABP No. 66918 of 2023 in connection with Budha Colony P.S.
Case No. 402 of 2023 by the learned court of Additional Sessions
Judge-XX, Patna which is registered for the offences punishable
under Section 498 (A) of the IPC and Section 3/4 of the D.P. Act.



3. The present case is one under Section 498 A of the IPC and the Opposite parties are father-in-law, mother-in-law and brother-in-law of the petitioner who is the informant as also the victim.

4. Learned counsel for the petitioner has urged for cancellation of bail granted to the opposite parties on the ground that despite there being allegations against them which is supported by the injury report which has been brought on record by way of supplementary affidavit (Annexure-P/3), the anticipatory bail has been granted. The additional ground for pressing this application has been taken by the learned counsel concerns a settlement between the parties in the present proceeding. It appears from the earlier orders that the matter has been adjourned on several dates but till date no settlement has been arrived at.

5. Learned counsel appearing for the Opposite Parties No. 2 to 4 strongly opposes the present application for cancellation on the ground that the Opposite Parties are the in-laws of the petitioner and the order having been passed on substantial reasons and consideration and there is no reason for cancelling the anticipatory bail granted to these Opposite Parties. It has also been submitted that after the grant of anticipatory bail in the year 2023 these opposite parties have never misused the privilege of such bail granted to them. It has also been informed by both the parties that the husband of the petitioner, who is primarily responsible for keeping his wife with full dignity and honour, has already been



granted the privilege of anticipatory bail which has till date not been challenged. However, a quashing application for challenging the order of cognizance has been filed on behalf of the husband Mr. Kumar Gaurav by Cr. Misc. No. 15094 of 2025 and by an order dated 24.03.2025 notices have been issued to the Opposite Party No.s 2 who is the petitioner herein on the very pretext that the husband was desirous to settle the issue.

6. Finding no good ground for cancelling the anticipatory bail already granted to these Opposite Parties who are father-in-law, mother-in-law and brother-in-law, on merits this Court feels it expedient in the interest of justice that the present application is disposed of with an observation that both the parties would take steps to settle the matter in Cr. Misc. No. 15094 of 2025 by resorting to mentioning the matter upon urgency and both the parties do not have any objection with regard to the same.

7. With such observations, the present application for cancellation of bail of the Opposite Parties No. 2 to 4 is hereby disposed of.

(Soni Shrivastava, J)

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