

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42316 of 2025

Arising Out of PS. Case No.-217 Year-2023 Thana- MIRGANJ District- Purnia

Shubham Devi W/O - Late Pankaj Kumar Mandal Village- Baghaua, Ps-
Mirganj, Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Mandal @ Vijay Kumar Mandal son of Siya Sharan Mandal Village-
Baghaua, Ps- Mirganj, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-01-2026

Heard the parties.

2. The present application has been filed for
cancellation of regular bail granted to the opposite party No. 2
by order dated 02.04.2024 passed in Cr. Misc. No. 22843 of
2024.

3. Learned counsel for the petitioner submits that
opposite party No. 2 has started misusing the privilege of bail by
threatening the petitioner and her family members.

4. This Court finds no ground for cancellation of
regular bail in the light of the judgment rendered by the Hon'ble
Supreme Court in the case of **Dolat Ram and others Vs. State
of Haryana** reported in **(1995) 1 SCC 349**, wherein in
paragraph no. 4, the Hon'ble Apex Court has held as under:

“Rejection of bail in a non-bailable case



at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of the bail, already granted. The grounds for cancellation of bail, broadly (illustrative and not exhaustive) are: interference or attempt to interfere with the due course of administration of justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner.”

5. It is also relevant to note that while granting regular bail to the opposite party no. 2 by order dated 02.04.2024 in Cr. Misc. No. 22843 of 2024, no specific condition was imposed thus in absence of any such express condition, a mere allegation of threat, without any supporting material, cannot by itself be treated as a violation of bail conditions so as to justify cancellation of bail. Cancellation of bail cannot be resorted to on vague or general allegations unless it is shown that the accused has deliberately abused the liberty granted by the Court or has acted in a manner prejudicial to the fair administration of justice.



6. The present cancellation application stands dismissed.

7. If so advised, the petitioner may file an application before the concerned Court with a competent jurisdiction for redressal of her grievance.

8. If any such application is filed on behalf of the petitioner, same shall be disposed of expeditiously by the court of competent jurisdiction.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

