

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41962 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- GANDHIMAIDAN District- Patna

Sharda Devi W/O- Late Puskar Kumar Sinha R/o- Mohalla Mahesh Nagar,
Road No. 0, Prarthna Niwas, Flat No. 201, Police Station Patliputra, District
Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumit Kumar Sinha S/o- Manoj Kumar Sinha R/o-Mohalla Mainpura,
Opposite Gage No. 50, near Murti Makan, Police Station -Paliputra, District-
Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 05-01-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has filed the present application seeking cancellation of anticipatory bail granted to opposite party no. 2 by the learned Sessions Judge, Patna, vide order dated 08.04.2024 passed in A.B.P. No. 1497 of 2024.

3. Learned counsel for the petitioner has submitted that since the anticipatory bail has been granted to the opposite party no.2 only on the ground that other co-accused persons of the said case had also been granted anticipatory bail vide order dated 28.03.2024 in A.B.P. No. 1328 of 2024 and in the said case accused persons had resorted to fraudulent means as despite the fact that the informant had never presented herself physically before the Court concerned, however, paragraph nos. 6 and 8 of the order granting bail to the co-accused persons



discloses that the informant was physically present before the Court concerned and she had declined the fact that any fraud or cheating was committed with her. Learned counsel for the petitioner further submits that in the case of co-accused persons also, cancellation of bail petition has been filed before this Court and vide order dated 05.01.2026 in Cr. Misc. No. 41750 of 2024, liberty was granted to the petitioner to approach the Court concerned which has granted anticipatory bail to the opposite parties for the redressal of her grievances.

4. In view of the aforesaid, in the present case also the same liberty is granted to the present petitioner as has been granted to the petitioner of Cr. Misc. No. 41750 of 2024, inasmuch as opposite party no.2 has been granted privilege of anticipatory bail by the learned Sessions Judge mainly on the basis of the fact that co-accused persons have been granted such privilege vide order dated 08.04.2024 in A.B.P No. 1497 of 2024, which was challenged before this Court in Cr. Misc. No. 41750 of 2024.

6. With the aforesaid observations, the instant application stands disposed of.

(Soni Shrivastava, J)

Harsh/-

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