

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41750 of 2024

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

Sharda Devi Wife of Late Puskar Kumar Sinha Resident of Mohalla - Mahesh Nagar, Road No.- O, Prarthna Niwas, Flat No.- 201, Police Station - Patliputra, District – Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niraj Kumar Son of Madan Mohan Singh Resident of Village - Lahladpur Mohanpur, Police Station - Gaurichak, District - Patna.
3. Manoj Kumar Sinha Son of Late Satya Narayan Sinha Resident of Mohalla - Mainpura, Opposite Gate No.- 50, Near Murti Makan Post Office - G.P.O., Police Station - Patliputra, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, 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 nos. 2 and 3 by the learned Sessions Judge, Patna, vide order dated 28.03.2024 passed in A.B.P. No. 1328 of 2025.

3. Learned counsel for the petitioner has submitted that opposite parties have played fraud with the Court concerned and despite the fact that the informant never presented herself physically before the Court, the order granting anticipatory bail



to the opposite party nos. 2 and 3 vide order dated 28.03.2024 discloses in paragraph nos. 6 and 8 thereof, 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.

4. It appears that the present ground agitated by the learned counsel for the petitioner relates to fraud and misrepresentation and thus, such ground can only be best agitated before the Court concerned which granted the privilege of anticipatory bail to the opposite parties.

5. Since on the facts and circumstances of the case, as is evident from the order impugned, this Court does not find any perversity in the said order and is thus not inclined to interfere with the same as the law is very well settled that cancellation of bail has its own parameters of consideration which requires to be fulfilled for making any interference with the order granting bail.

6. However, in case the petitioner is of the view that some fraud or mis-representation was committed by the opposite parties, she would be at liberty to approach the Court concerned which granted anticipatory bail to opposite parties for redressal of her grievances.



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

(Soni Shrivastava, J)

Harsh/-

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

