IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51547 of 2026

CNR No. BRHC010632342026

Arising Out of PS. Case No.-83 Year-2025 Thana- MAHILA P.S. District- Patna

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Aliya Nazir D/O Nazir Ahmad Resident Of Chitti Kaodi, Kandhai Tola, P.o.- Jhauganj, P.s.- Khajekalan, Patna City, Dist. Patna

... ... Petitioner/s

Versus

1. The State of Bihar
2. Md. Kaif S/O Md. Rasid @ Mohammad Rasid R/O Bankra Uttar Para, P.s.- Howrah, Dist.- Howrah, W.B.

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Majid Mahboob Khan, Adv
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the O.P. No. 2	:	Mr. Md Reyaj, Adv
		Mr. Md Tauqueer Azhar, Adv
		Mr. Fakhruddin Ali Ahmad, Adv
		Mr. Abdur Raheem, Adv
		Ms. Heena Parween, Adv

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned APP for the State.

2. The present petition has been filed for cancellation of bail granted to opposite party no. 2 vide order dated 29.04.2026 passed in Cr. Misc. No. 25145 of 2026 in connection with Mahila P.S. Case No. 83 of 2025 registered for the offence under Sections 69, 3(5) of B.N.S.

3. Learned counsel for the petitioner (informant) submits that the opposite party no. 2 Md. Kaif had made physical relationship with her and later on demanded dowry and

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when the demand was not met, opposite party no. 2 got engaged to another girl on 19.07.2025. Thus, taking into account the conduct of opposite party no. 2, the bail granted to him should be cancelled.

4. Learned counsel appearing for opposite party no. 2 submits that the order granting bail to him is a well considered order and reasons have been assigned while granting bail. The allegation being levelled by the petitioner has already been taken into account at the time of granting bail to the opposite party no. 2 and therefore, no new circumstance or development has been brought forward by the petitioner which will warrant cancellation of the bail.

5. Learned APP for the State, however, supports the contention of informant/petitioner.

6. The ground on which the petitioner is seeking cancellation of bail is not a fresh ground or a subsequent development. The allegation levelled by learned counsel for the petitioner has been taken into account in the order dated 29.04.2026 passed in Cr. Misc. No. 25145 of 2026 and thereafter, the bail was granted to the opposite party no. 2. For ready reference, paragraph 6 of the order dated 29.04.2026 granting bail to opposite party no. 2 is quoted hereinbelow:

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> *"6. From the allegations levelled in the FIR it transpires that there is allegation against the petitioner of having established physical relationship with the informant. Both the petitioner as well as the informant are adults and the possibility of there being a consensual relationship cannot be ruled that because the petitioner and informant could not get married, therefore, the petitioner has been implicated in this case. Petitioner is now a married person living happily with his wife. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner."*

7. For the reasons that no fresh or subsequent development has been raised by the petitioner for cancellation of bail and that the ground on which the petitioner seeks cancellation of bail has already been taken into account. Therefore, I find no merit in cancelling the bail and therefore, it is accordingly dismissed.

(Alok Kumar Sinha, J)

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