

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2798 of 2025

Arising out of PS. Case No.-282 Year-2023 Thana- DULHIN BAZAR District- Patna

Arti Kumari, W/o Avinash Kumar @ Avinash Kumar Verma, Resident of Village- Rakasia, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Avinash Kumar @ Avinash Kumar Verma, S/o Ram Prasad Mahto, Resident of Village- Lala Bhadsara, P.S.- Dulhin Bazar, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate
		Mr. Satish Kumar Sinha, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-01-2026 Heard Mr. S.K. Lal, learned senior counsel for the petitioner and learned APP for the State.

2. The present application for cancellation of anticipatory bail has been filed against the order dated 13.11.2024 passed by the learned Court of Additional Sessions Judge-III, Danapur, Patna in A.B.P. No. 843 of 2024 in connection with Dulhin Bazar P.S. Case No. 282 of 2023 whereby and whereunder anticipatory bail was granted to the opposite party no. 2.

3. It has been argued by learned senior counsel for the petitioner that the case was registered under Section 498 A IPC and the petitioner being the husband had earlier entered into a mediation proceeding wherein he had agreed to take his wife



along with him at his place of job with promise to keep her with full dignity and honour. The matter came up again before the mediation centre and *vide* Annexure-P3, which is the mediation report dated 22.08.2025, it was recorded that they were staying together peacefully as husband and wife, whereafter the couple was to report after 40 days. The mediation report dated 30.09.2024 (Annexure-4) however indicates that the parties were unable to stay together and the husband had virtually refused to stay with his wife, as such the mediation proceedings between the parties had failed.

4. Taking into consideration the fact that the order dated 13.11.2024 granting anticipatory bail to the petitioner is a well-considered order considering the outcome of the mediation proceeding and considering that it is a case of matrimonial discord between the parties, I see no good reason to interfere with the order of the anticipatory bail granted to the Opposite Party No. 2 by the learned Court concerned in view of the settled law that parameters of consideration for allowing the prayer for cancellation of bail stands on a different level than that of granting bail and that very cogent and overwhelming circumstances are required for cancelling the bail once granted. In absence of any such overwhelming circumstances and even taking note of the



efforts taken towards reconciliation, which eventually failed despite the efforts made by the O.P. No. 2 also, the present application for cancellation of anticipatory bail granted to O.P. No. 2 stands rejected.

(Soni Shrivastava, J)

Vikash/-

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

