IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No. 2533 of 2026

Sinki Kumari, aged about 29 years, daughter of Arjun Singh, resident of M-6/125, Tilaia, P.O. Nudkhurkee, P.S. Baghmara, District Dhanbad, Jharkhand
.... Petitioner

Versus

1. The State of Jharkhand
2. Bhanu Pratap Singh, aged about 34 years, son of Shambhu Sharan Singh, resident of Village Chouhan Patti Tola, P.O. Amas, P.S. Amas, District Gaya, Bihar
.... Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Umesh Kumar Choubey, Advocate
For the State : Mr. Rajesh Kumar, A.P.P.
For the Informant : Mr. Prabhat Singh, Advocate

03/30.10.2026 This petition has been filed for cancellation of anticipatory bail granted to the opposite party no.2 vide order dated 20.08.2025 passed in A.B.A. No.4527 of 2025 arising out of Baghmara P.S. Case No.27 of 2023 corresponding to G.R. No.2355 of 2023 pending in the court of S.D.J.M., Dhanbad.

2. Learned counsel appearing for the petitioner submits that the petitioner has obtained the anticipatory bail by this court concealing the facts. He submits Rs.13,00,000/- has been taken by the petitioner for solemnizing the marriage, however, only Rs.4,00,000/- has been returned. He further submits that other facts have also been concealed and in view of that anticipatory bail granted to the opposite party no.2 may kindly be cancelled.

3. Learned counsel appearing for the opposite party no.2 submits that now the informant has solemnized marriage with another man and on merit, this court has been pleased to grant anticipatory bail to the petitioner and criminal case is still pending.

4. Learned counsel appearing for the State submits that once the bail is granted, only in exceptional circumstances, the court shall interfere. He submits that earlier anticipatory bail was granted to the opposite party no.2 on merit.

5. On perusal of the order dated 20.08.2025 passed in A.B.A. No.4527 of 2025, it transpires that this court has considered the matter on merit and the facts of allegation of paying Rs.13,20,000/- has also been disclosed in the said order and payment of Rs.4,00,000/- is also reflected in the said order and considering all these aspects, anticipatory bail was granted. It is not a case that allegation part has been concealed and payment part is also accepted by the counsel for the petitioner and Rs.4,00,000/- has been returned.

6. It is well settled that the bail can be cancelled on the following grounds: -

"*(i) the accused misuses his liberty by indulging in similar criminal activity,*

(ii) interferes with the course of investigation,

(iii) attempts to tamper with evidence or witnesses,

(iv) threatens witnesses or indulges in similar activities which would hamper smooth investigation,

(v) there is likelihood of his fleeing to another country,

(vi) attempts to make himself scarce by going underground or becoming unavailable to the investigating agency,

(vii) attempts to place himself beyond the reach of his surety, etc."

7. The above grounds are illustrative and not exhaustive. It is required to be kept in mind that the rejection of bail on one footing, but cancellation of bail is a harsh order. It is trite law that cancellation of bail can be done, in cases where the order granting bail suffers from serious infirmities resulting in miscarriage of justice. If the court granting bail ignores relevant material indicating prima facie involvement of the accused or takes into account irrelevant material, which has no relevance to the question of grant of bail to the accused, the High Court or the Sessions Court would be justified in cancelling the bail.

8. In view of above, the court finds that no case of cancellation of anticipatory bail of the opposite party no.2 is made out, only in exceptional circumstances the said orders are passed for cancellation of bail, I am not inclined to cancel the anticipatory bail granted to the opposite party no.2.

9. This criminal miscellaneous petition is hereby, dismissed. Pending Interlocutory Application, if any, is also disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated 30.10.2026

Anit

Uploaded
04.11.2026