

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49311 of 2014

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1. Md. Saheb S/O;Md.Anam R/o;village-Raibari Mahuawa Bhulahawa
Dih P.S-Chautarwa, District-west Champaran

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anand Kishore Choudhary

For the Opposite Party : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 13-05-2015

The present application has been filed for modification of the order dated 07.10.2013 passed in Cr. Misc. No. 32122 of 2013, whereby the petitioner being husband of the informant was granted provisional anticipatory bail for one year on readiness of the petitioner to keep the informant as wife with full dignity and honour. The provisional bail of the petitioner was to be confirmed by learned Court below in three eventualities (i) If the matrimonial harmony is substantially restored (ii) If the informant fails to appear before learned Court below (iii) if the informant is reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that order of learned Court below dated 24.06.2014 reflects that petitioner was ready to keep the informant as wife with dignity and honour but the informant put a condition that until parents of the petitioner being father-in-law and mother-in-law of the informant execute a bond she would not go to her

matrimonial house.

It is further submitted by learned counsel for the petitioner that petitioner is still ready to keep the informant as wife with dignity and honour.

It is submitted by learned counsel for the informant that informant is ready to accept the offer of the petitioner.

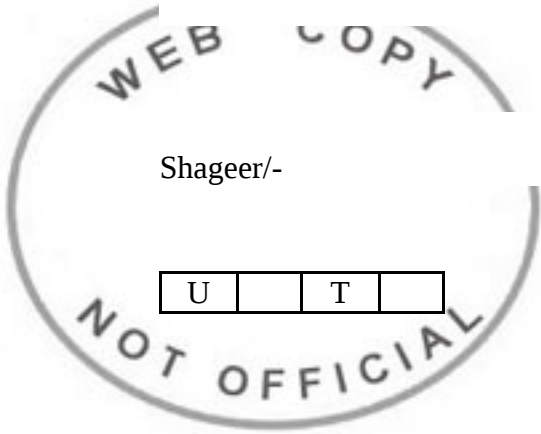
It is also submitted by learned counsel for the petitioner that bail bonds of the petitioner has still not been cancelled.

Considering the aforesaid submissions and the fact that petitioner is still ready to keep the informant as wife with full dignity and honour, the order dated 07.10.2013 passed in Cr. Misc. No. 32122 of 2013 is modified to the extent that the provisional bail granted to the petitioner is hereby confirmed.

Let both the petitioner and the informant appear before learned Court below on 8th of June, 2015 when the petitioner will take the informant to her matrimonial house and keep her as wife with full dignity and honour. However, if the petitioner fails to appear or not comply the undertaking given before this Court, the learned Court below will be at liberty to cancel the bail bonds of the petitioner.

Accordingly the modification application is disposed off in connection with Mahila Bagaha P.S. Case No. 24

of 2013, pending in the Court of learned Additional Chief
Judicial Magistrate, Bagaha, West Champaran.



(Dinesh Kumar Singh, J)