

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39212 of 2014

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1. Ram Kumar Gupta S/o Late Bishwanath Prasad Gupta R/o Village -
Kapra Patti, P.S. - Sadar, District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar.
2. Sapna Devi wife of Ram Kumar Gupta, D/o Amrendra Modi R/o
Village - Dumariya, P.S. - Murliganj, P.O. - Chlhai Patti, District -
Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma

For the Opposite Parties : Mr. Navin Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-01-2015

The present application has been filed for modification of the order dated 09.10.2012 passed in Cr. Misc. No. 19600 of 2012 for confirmation of the provisional bail granted to the petitioner in a case registered under Sections 494, 498A of the I.P.C. The provisional bail was to be confirmed by learned Court below on substantial restoration of matrimonial harmony or the informant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that informant failed to appear before learned Court below. It is further submitted that bail bonds of the petitioner has still not been cancelled.

The notices have been issued to the informant being O.P. No. 2 vide order dated 17.09.2014 and

vide order dated 26.11.2014 the notices were treated to be deemed valid service as O.P. No. 2 refuses to receive registered cover notice. None is appearing on behalf of O.P. No. 2.

In the circumstance, the order dated 09.10.2012 passed in Cr. Misc. No. 19600 of 2012 is modified to the extent that provisional bail of the petitioner is hereby confirmed in connection with Saharsa Sadar P.S. Case No. 560 of 2011, pending in the Court of learned Sub-Divisional Judicial Magistrate, Saharsa.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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