

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38304 of 2014

Arising Out of PS.Case No. -1480 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

=====

Dilsher Khan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh--Advocate

For the Opposite Party/s : Mr. Damodar Pd. Tiwary (A.P.P.)

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

06 04-11-2015 A counter-affidavit has been filed on behalf of
opposite party no.2, taken on record.

Heard learned counsel for the petitioner, learned
Additional Public Prosecutor and learned counsel for the
complainant.

It happens to be a dispute amongst spouse and as at
an earlier occasion, an offer was made at the end of the petitioner
to restore their marital status and further, to give due recognition
of his wife, he was allowed to avail the liberty provisionally,
which extended time to time and today, by way of counter-
affidavit as well as submission having been made on behalf of
learned counsel for the complainant, petitioner has failed to stick
over his commitment.

Learned counsel for the petitioner submits that he is

ready to abide with the condition, if any.

After hearing respective learned counsels, it is evident that the offer made on behalf of petitioner happens to be simply an oral one without having its positive impact and on account thereof, the privilege so granted to the petitioner vide order dated 30.06.2015 is withdrawn.

Petitioner is the husband and taking into account his conduct, he is not at all found entitled for availing the privilege of anticipatory bail.

Accordingly, prayer for anticipatory bail is rejected.

Petitioner is directed to surrender before the learned lower Court within four weeks positively, failing which the learned lower Court will proceed with in order to secure his presence in accordance with law.

(Aditya Kumar Trivedi, J)

Vikash/-

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