

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53905 of 2013

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1. Bechan Das S/O Brihispati Das Resident Of Village Kaina, P.S.
Singhiya, District Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Jitendra Kr. Singh 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 12-08-2015

The present modification application has been filed for extending the period of provisional anticipatory bail granted to the petitioner for one year vide order dated 20.04.2012 passed in Cr. Misc. No. 14564 of 2012 in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 323, 406, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The provisional bail was granted on readiness of the petitioner to keep the complainant as wife with full dignity and honour. The provisional bail of the petitioner was to be confirmed within one year by the learned Court below on substantial restoration of matrimonial harmony within a period of one year or if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the

complainant/O.P. No. 2 that petitioner has performed second marriage.

Considering the fact that for modification of the order dated 20.04.2012, the present modification application has been filed on 20.12.2013 much after expiry of the period of provisional bail, this Court is not inclined to modify the earlier order. Let learned Court below consider the prayer for regular bail of the petitioner, keeping in view the stand of the petitioner and the fact that petitioner has remained on provisional bail for one year, if the petitioner surrenders within a period of one year in connection with Complaint Case No. 1066 of 2010, pending in the Court of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur.

Accordingly the modification application is disposed off.

Shageer/-

(Dinesh Kumar Singh, J)

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