

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40384 of 2013

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1. Gaurab Singh Son Of Bhola Nath Singh @ Bhola Singh Resident Of
Village Chilahari, Police Station Dumraon, District Buxar.

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Rajendra Pd. Nat (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 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 17.09.2012 passed in Cr. Misc. No. 34991 of 2012 in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 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 appears that for modification of the order

dated 17.09.2012 the present modification application has been filed on 17.09.2013 and there is nothing on record to suggest that petitioner is still on provisional bail or his bail bond has been cancelled.

In the circumstance, 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 anticipatory bail for one year, if the petitioner surrenders within a period of one year in connection with Complaint Case No. 508C of 2011, pending in the Court of learned Sub-Divisional Judicial Magistrate, Buxar.

Accordingly the modification application is disposed off.

Shageer/-

(Dinesh Kumar Singh, J)

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