

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34756 of 2014

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Tanjil @ Md. Tanjil Alam son of Sajjad Resident of village- Sherlangha,
P.S.- Jokihat, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

2. Bibi Shagupta Khatoon, wife of Md. Tanjil Alam, daughter of Md.
Yahiya, Resident of village- Rampur-Mohanpur, Tola Bochi, P.S.
Bairgachhi (Araria), Dist- Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05/ 05-08-2015

Heard learned counsel for the petitioner,

State and complainant-opposite party no. 2.

The present application has been filed for
modification of order dated 17.07.2012 passed in Cr. Misc. No.
23830 of 2012 for extending the period of provisional bail or
confirmation of the same.

The petitioner was granted provisional
anticipatory bail for one year in connection with Complaint
Case No. 32 of 2011 wherein process was directed to be issued



after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code. The provisional anticipatory bail was granted to the petitioner on submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant with dignity and honour. The provisional bail was to be confirmed by the learned court below if the matrimonial harmony is substantially restored or if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the issue could not be reconciled due to the apathetic attitude of the complainant.

Considering the fact that the provisional anticipatory bail was granted on 17.07.2012 and the present modification has been filed on 20.08.2014, this Court is not inclined to entertain the present prayer.

Let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that the petitioner has enjoyed the privilege of anticipatory bail since 17.07.2012 and petitioner make effort to conclude the trial, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 32C of 2011 pending in the court of learned

Sub-divisional Judicial Magistrate, Araria.

Accordingly, this modification application

is disposed of.

(Dinesh Kumar Singh, J)

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