

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17715 of 2015**

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1. Sanjay Kumar @ Sanjay Yadav S/o- Asharfi Yadav R/o Village-  
chandanpura, P.s- Surajagarha, District- Lakhisarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

3      08-07-2015                      Heard learned counsel for the petitioner and the  
  
state.

The present application has been filed for  
modification of order dated 19.3.2014 passed in Cr.  
Misc. No. 1604 of 2014 for confirmation of the  
provisional bail granted to the petitioner in a case  
registered for the offences punishable under sections  
498A and 504/34 IPC and sections 3 and 4 of the Dowry  
Prohibition Act.

The provisional bail, granted on the readiness of  
the petitioner to keep the informant as wife with due  
dignity and honour, was to be confirmed in three  
eventualities viz. (i) if the matrimonial harmony is

substantially restored or (ii) if the informant gets reluctant to resolve the issue or (iii) if the informant fails to appear before the learned court below.

It is submitted by learned counsel for the petitioner that the petitioner made several applications before the learned court below that he is ready to take the informant and to keep her with due dignity and honour but the informant never responded to the said prayer of the petitioner.

Notices were issued to the O.P. No. 2 vide order dated 22.4.2015. The office note dated 7.7.2015 suggests that the processes were validly served to the O.P. No. 2 but none is appearing on behalf of O.P. No. 2.

Considering the facts and circumstances of the case, this court, at this stage, is not inclined either to extend the period of provisional bail or to confirm the same but keeping in view the totality of the facts and circumstances, it is a case for consideration of the prayer of the petitioner for regular bail by the learned court below in case the petitioner surrenders within six weeks from today in connection with Lakhisarai Mahila P.S. Case No. 13 of 2013 pending in the court of the learned



SDJM, Lakhisarai.

The modification application stands disposed  
of.

**(Dinesh Kumar Singh, J)**

Anil/-

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