

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42993 of 2014

=====

Ravi Kishore Choudhary @ Bittu son of Sri Yugal Kishore Choudhary,
resident of New Colony, Balu Ghat, P.S. Town, Muzaffarpur, District-
Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. Manisha Kumari, wife of Ravi Kishore Choudhary

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Rajesh Mohan

For the Opposite Party : Mr. Murlidhar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 07-01-2015

The present application has been filed for modification of the order dated 07.02.2013 passed in Cr. Misc. No. 49274 of 2012 for confirmation of the provisional bail granted to the petitioner in a case registered under Sections 498A, 504 of the I.P.C and $\frac{3}{4}$ of the Dowry Prohibition Act. The provisional bail was to be confirmed by learned Court below on substantial restoration of matrimonial harmony within a period of one year or the wife of the petitioner deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that order of learned Court below dated 05.04.2014 reflects that petitioner appeared but the wife of the petitioner refused to reside with the petitioner as a result of which the substituted service of notice was directed to be made by way of news paper publication.

It is submitted by learned counsel for the

O.P. No. 2 that matrimonial case for divorce was filed and it has not been withdrawn, hence O.P. No. 2 is not appearing in the learned Court below.

Considering the facts and circumstances of the case, the order dated 07.02.2013 passed in Cr. Misc. No. 49274 of 2012 is modified to the extent that provisional bail of the petitioner is hereby confirmed in connection with Muzaffarpur Town P.S. Case No. 551 of 2012, pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur. However the confirmation of the bail to the petitioner will not preclude the parties to reconcile the issue otherwise or withdraw the matrimonial suit.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

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