

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50266 of 2014

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1. Ram Naresh Rai @ Naresh Rai Son of Satya Narayan Rai, Resident of
Village- Chaupar Kala, P.S.- Nanpur, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Gita Kumari son of Ram Nath Rai, Resident of Village- Bahurar, P.S.-
Nanpur, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-08-2015

The present application has been filed for modification of the order dated 09.10.2013 passed in Cr. Misc. No. 32694 of 2013 for extending/conforming the period of provisional anticipatory bail granted to the petitioner for one year in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The provisional anticipatory bail was granted on readiness of the petitioner being husband of the informant to keep the informant as wife with full dignity and honour. The provisional bail of the petitioner was to be confirmed in three eventualities if the matrimonial harmony is restored substantially within one year or the wife deliberately refuses to reside with the petitioner or she fails to appear before learned Court below.

It is submitted by learned counsel for the petitioner that issue could not be reconciled due to the latches on the part of the informant.

Considering the fact that for modification of the order dated 09.10.2013, the present modification application has been filed on 12.12.2014 much after expiry of the period of provisional anticipatory 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 enjoyed the privilege of provisional anticipatory bail for one year, if the petitioner surrenders within a period of one year in connection with Nanpur P.S. Case No. 122 of 2012, pending in the Court of learned Chief Judicial Magistrate, Sitamarhi.

Accordingly the modification application is disposed off.

(Dinesh Kumar Singh, J)

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