

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1617 of 2015

Arising Out of PS.Case No. -593 Year- 2010 Thana -PHULWARI District- PATNA

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Md. Nazre Alam @ Md. Nazare Alam Son of Md.Hussain Azad R/O Vill-
Makhdumpur,Kudaria Chamarua,P.S-Karza,Distt.-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 29-04-2015

The petitioner has renewed his prayer for anticipatory bail in connection with Phulwarisharif P.S. Case No. 593 of 2010 registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act, pending in the court of learned Chief Judicial Magistrate, Patna.

The petitioner was earlier granted provisional anticipatory bail for one year vide order dated 03.04.2013 passed in Cr. Misc. No. 5948 of 2013 on the undertaking of the petitioner and informant that they will appear on 29th of April, 2013 before the learned court below when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour. The petitioner could not appear before the learned court

below on the fixed date. Thereafter, petitioner filed Cr. Misc. No. 32725 of 2013 for modification of the initial order dated 03.04.2013 passed in Cr. Misc. No. 5948 of 2013. This Court vide order dated 05.02.2014 disposed of the modification application rejecting the prayer for modification since the petitioner failed to comply the undertaking. Thereafter again petitioner filed Cr. Misc. No. 20512 of 2014 for modification of order dated 05.02.2014 passed in Cr. Misc. No. 32725 of 2013 and the same was disposed of vide order dated 22.10.2014 and thereafter the present second anticipatory bail application has been filed.

It is submitted by learned counsel for the petitioner that actually the petitioner appeared before the learned court below on 29.04.2013 but it was not incorporated in the order-sheet of the learned court below.

Keeping in view of the facts and circumstances, this Court is not inclined to interfere. Accordingly, this application is disposed of. But this order will not preclude the learned court below to consider the prayer for regular bail of the petitioner, if he surrenders and pray for regular bail.

(Dinesh Kumar Singh, J)

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