

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32726 of 2014

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SRI KANT THAKUR son of Dhanushdhari Thakur resident of village -
Parsauni, P.S. Inarwa, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Sewak Chaudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 05-08-2015

The present application has been filed for
modification of order dated 18.10.2012 passed in Cr. Misc. No.
39640 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 Inerwa P.S.
Case No. 29 of 2012 registered 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

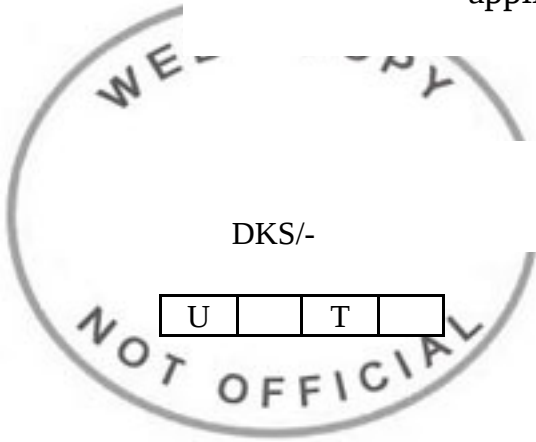
keep the complainant and minor children with dignity and honour. The provisional bail was to be confirmed by the learned court below in three eventualities if the matrimonial harmony is substantially restored within one year or the wife deliberately refused to reside with the petitioner or she fails to appear before the learned court below.

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 18.10.2012 and the present modification has been filed on 02.08.2014, 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 18.10.2012 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 Inerwa P.S. Case No. 29 of 2012 pending in the court of learned Judicial Magistrate, Ist Class, Bettiah, West Champaran.

Accordingly, this modification application is disposed of.



(Dinesh Kumar Singh, J)