

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8092 of 2015

=====

Sachitanand Sharma S/o Shambhu Prasad, Resident of Village- Barbatta,
P.S. Sonapur District Saran

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Kumari W/o Sachidanand Sharma D/O Ramashray Sharma,
Resident of Mohalla- Likshvi Nagar Pokhara Mohalla, P.S. Hajipur
Town, District- Vaishali

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-08-2015

The present application has been filed for modification of order dated 09.10.2013 passed in Cr. Misc. No. 38024 of 2013 for extending/confirming the period of provisional anticipatory bail.

The petitioner was granted provisional anticipatory bail in connection with Complaint Case No. CI 3629 of 2012 wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act, pending in the court of learned Sub-divisional Judicial Magistrate, Vaishali at Hajipur.

The provisional anticipatory bail was granted to the petitioner for one year on the submission of the learned

counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. The provisional anticipatory bail was to be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant deliberately gets reluctant to reconcile the issue or (iii) if the complainant fails to appear before the learned court below.

Considering the fact that the modification application has been filed on 23.02.2015 much after the lapse of period of provisional bail, this Court is not inclined to entertain the present modification application.

Let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that the petitioner is still ready to keep the complainant as wife with dignity and honour and the petitioner has remain on anticipatory provisional bail.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

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