

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5160 of 2015

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Subhash Yadav Son of Ram Surat Yadav Resident of vill-Garibganj,P.O-Sahlaur, P.S-G.B.Nagar(Tarwara),Distt-Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi W/O Subhash Yadav Presently Resides at vill-Sarangpur Uttar Tola,P.O-Sakara,P.S-G.B.Nagar(Tarwara),Distt.-Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 01-07-2015

The present application has been filed for modification of order dated 19.12.2013 passed in Cr. Misc. No. 19752 of 2013 for confirming the provisional anticipatory bail granted to the petitioner in connection with Complaint Case No. 1410 of 2012 wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code, pending in the court of learned SDJM, Siwan.

The provisional bail was granted to the petitioner on undertaking that the petitioner is ready to reconcile the issue and petitioner is still ready to keep the complainant with full dignity and honour. The provisional bail was to be confirmed

by the learned court below on substantial restoration of matrimonial harmony.

It is submitted by learned counsel for the petitioner that the order of learned court below suggests that the petitioner appeared before the learned court below and he is ready to take the complainant to keep her as wife with full dignity and honour, but the complainant never appeared. Subsequently, the present application has been filed.

Notices were issued to opposite party no. 2 on 15.04.2015. The office note dated 23.06.2015 suggests that the notice was served to the counsel for opposite party no. 2 appearing before the learned court below, but till date none is appearing on behalf of O.P. No. 2.

In the circumstances, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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