

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14585 of 2014

Arising Out of PS.Case No. -35 Year- 2013 Thana -BHOJPUR GRP CASE District- BHOJPUR

1. Sudhir Kumar, Son Of Sri Hajari Rai, Resident Of Village Nagwan
Dera, P.S.- Janipur, District Patna

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Bharat Bhushan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-08-2015

The present modification application has been filed for extension of provisional anticipatory bail granted to the petitioner for one year vide order dated 11.12.2012 passed in Cr. Misc. No. 42199 of 2012 in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Considering the fact that for modification of

the order dated 11.12.2012, the present modification application has been filed on 26.03.2014 much after expiry of the period of provisional 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 remained on provisional bail for one year, if the petitioner surrenders within a period of one year in connection with Mehandia(Arwal) P.S. Case No. 17 of 2012, pending in the Court of learned Chief Judicial Magistrate, Jehanabad.

Accordingly the modification application is disposed off.

(Dinesh Kumar Singh, J)

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