

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35939 of 2015

- =====
1. Pintu Prasad @ Pintu Kumar, Son of Yogendra Mahto
 2. Mrs. Rubi Rani, Wife of Pintu Prasad @ Pintu Kumar, Son of Yogendra Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-09-2015

Heard.

The present application has been filed for modification of the order dated 27.02.2015, passed in Criminal Miscellaneous No.39512 of 2014 to the extent of extending the period of surrender before the learned court below.

The petitioner no.1 being the husband of the informant petitioner no.2 herein was granted provisional bail for one year in a case registered for the offences punishable under sections 341, 323, 504, 353, 307 and 498A/34 of the Indian Penal Code in connection with Pandarak P.S. Case No.12 of 2014, pending before the ACJM, Barh, Patna.

Both sides agreed to appear before the learned court below on 16.03.2015 when the petitioner was to take the informant to keep her as wife with full dignity and honour. The provisional bail of the petitioner was to be confirmed by the learned court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the informant fails to appear before the

learned court blew; (iii) and or she gets reluctant to reconcile the issue.

Learned counsel for the petitioners submits that in spite of serving a copy of the modification application to Mr. Sudish Kumar learned advocate, who earlier appeared on behalf of opposite party no.2, none is appearing for opposite party no.2 since last several dates.

Let the copy of receipt, produced by learned counsel for the petitioner, be kept on record.

Under the circumstances, let the order dated 27.02.2015 be modified only to the extent that the petitioner is permitted to surrender and execute bail bond for being released on provisional anticipatory bail within a period of two weeks calculated from the date of receipt or production of copy of the order.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities as mentioned in the order dated 27.02.2015.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

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