

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43534 of 2015**

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Kadamlal Yadav.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nagendra Upadhyay

For the Opposite Party/s : Mr. Rajendra Nath Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      16-09-2015

Heard.

The present application has been filed for modification of the order dated 03.04.2013, passed in Criminal Miscellaneous No.39602 of 2012 to the extent of extending the period of surrender before the learned court below.

The petitioner being the husband of the complainant was granted anticipatory bail in a case registered for the offences punishable under sections 498A and 494 of the Indian Penal Code in connection with Complaint Case No.917C of 2011, pending before the learned SDJM, Supaul.

The petitioner was ready to keep the complainant as wife with dignity and honour but the offer of the petitioner was not acceptable to the complainant as she was apprehensive of the past conduct of the petitioner. Thereafter, the petitioner offered to

pay Rs.1000/- per month to the complainant from May 2013 by depositing the same in the bank account of the complainant by second week of every month. The offer was accepted by the complainant, who was present in the court.

But it appears that neither the petitioner deposited the money nor surrendered and executed the bail bond before the learned court below.

Since the petitioner was granted anticipatory bail on 03.04.2013 and the present modification application has been filed on 10.09.2015, this Court is not inclined to interfere into the matter.

Let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that the issue was reconciled between the parties on the terms of monthly payment, if he surrenders within a period of six weeks.

Accordingly, the modification application is disposed of.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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