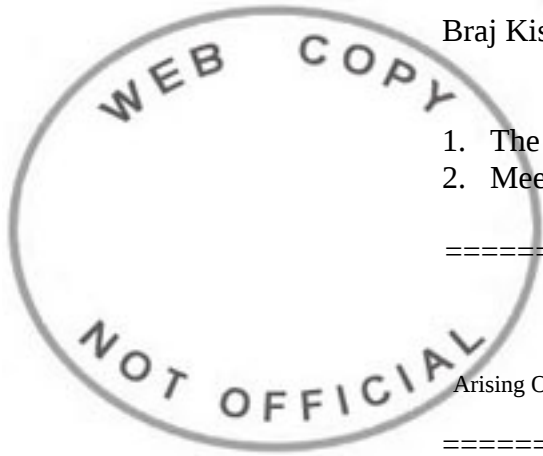




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15698 of 2014

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Braj Kishore Manjhi @ Brij Kishore Manjhi
..... Petitioner.

Versus

1. The State of Bihar.
2. Meera Devi.

..... Opposite Parties.

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with
Criminal Miscellaneous No.10759 of 2014

Arising Out of PS.Case No. -2243 Year- 2009 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Braj Kishore Manjhi @ Brij Kishore Manjhi
..... Petitioner.

Versus

1. The State of Bihar.
2. Meera Devi.

..... Opposite Parties.

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Appearance :
(In Cr.Misc. No.15698 of 2014)
For the Petitioner : Mr. Md. Aslam Ansari, Advocate.
For the State : Mr. Suresh Pd.Singh(App).
For the O.P. No. 2 : Mr. Ranjeet Kumar Pandey, Advocate.

(In Cr.Misc. No.10759 of 2014)
For the Petitioner : Mr. Md. Aslam Ansari, Advocate.
For the State : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 21-01-2015 Heard learned counsels for the petitioner,

complainant and learned A.P.P. for the State.

Cr. Misc. No. 10759 of 2014 has been filed

for quashing of order dated 06.02.2014 passed in Tr.

No. 1855 of 2011, arising out of Complaint Case No.

2243 of 2009, by learned S.D.J.M., Gopalganj,

whereby the bail bond in connection with Complaint Case No. 2243 of 2009 has been cancelled.

Cr. Misc. No. 15698 of 2014 has been filed for modification of order dated 27.04.2012, passed in Cr. Misc. No. 15751 of 2012 for confirming the provisional bail granted to the petitioner in a complaint case in which cognizance has been taken for the offences punishable under Sections 406, 498A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act. The provisional bail was to be confirmed in two eventualities: (i) if the matrimonial harmony is substantially restored or (ii) if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the complainant as wife with full dignity and honour. Learned counsel for the complainant accepts the offer.

Both sides agree to appear before the learned court below on 30.01.2015 when the petitioner will take back the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, the order dated 06.02.2014, passed in Tr. No. 1855 of 2011, arising out of Complaint Case No.

2243 of 2009, by learned S.D.J.M., Gopalganj, whereby the bail bond has been cancelled, is hereby set aside. The petitioner is permitted to remain on same bail bond provisionally for a further period of six months from the date of receipt/production of copy of the order.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored within six months (ii) or the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

It is made clear that no modification application will be entertained henceforth.

Accordingly, both the applications are disposed off.

U.K./-

(Dinesh Kumar Singh, J)

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