

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30889 of 2015

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1. Nagendra Narayan Tripathi @ Nagendra Tripathi Son of Ravindra Nath
Tripathi Resident of Tari Mohalla Arrah, P.S. Arrah Town, District -
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-07-2015

The present application has been filed for modification of the order dated 24.06.2013 passed in Cr. Misc. No. 10816 of 2013 for confirming the provisional bail granted to the petitioner in a Complaint Case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The petitioner being husband of the complainant was granted provisional anticipatory bail for one year on readiness of the petitioner to make payment of Rs. 3000/- per month to the complainant from August, 2013.

It is submitted by learned counsel for the petitioner that in fact the petitioner was granted bail but it appears that by inadvertence the word 'provisional bail' was incorporated in the order dated 24.06.2013. It is further submitted that petitioner is regularly making payment to the

complainant. Moreover the bail bonds of the petitioner has not been cancelled till date.

Learned counsel for the complainant though does not dispute regular payment of monthly amount to the complainant by the petitioner but submits that complainant prays for payment of permanent alimony.

Considering the facts and circumstances of the case, the order dated 24.06.2013 passed in Cr. Misc. No. 10816 of 2013 whereby the petitioner was granted provisional anticipatory bail, is hereby confirmed.

So far as prayer for payment of permanent alimony is concerned, the complainant is at liberty to move the proper forum.

Accordingly the modification application is disposed off in connection with Complaint Case No. 1371(C) of 2012, pending in the Court of learned Judicial Magistrate, 1st Class, Bhojpur at Ara.

(Dinesh Kumar Singh, J)

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