

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47327 of 2013

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Kanhaiya Poddar @ Kanhai Poddar

.... Petitioner.

Versus

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

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad.
For the State : Mr. Veena Kumari Jaiswal(App).
For the O.P. No. 2 : Mr. Surya Narayan Roy, Advocate.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-01-2015 Heard learned counsels for the petitioner,
informant and learned A.P.P. for the State.

The present application has been filed for modification of order dated 18.10.2012 passed in Cr. Misc. No. 39616 of 2012, whereby the petitioner was granted provisional bail for one year in connection with Patori P.S. Case No. 108 of 2012 in a case registered for the offences punishable under Sections 323 and 498A of the Indian Penal Code on the undertaking that he will keep the informant as wife with full dignity and honour. The provisional bail was to be confirmed by the learned court below on substantial restoration of matrimonial harmony between the parties or the informant refuses to reside with the petitioner.

From the order of the learned court below dated 24.10.2013, it appears that the petitioner after getting provisional bail performed second married with Rajani Devi on 13.12.2012 for which Chakmahesi P.S. Case No. 03 of 2013 has been lodged by the informant making accusations under Sections 494, 498(A), 447, 341, 323 and 379 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the petitioner has been granted bail in the subsequent case.

Considering the aforesaid development, this Court is not inclined to interfere.

Accordingly, the modification application is disposed off.

U.K./-

(Dinesh Kumar Singh, J)

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