

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8242 of 2014

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Shailendra Kumar Son Of Late Suresh Prasad Resident Of Mohalla-Mouar
Lane, P.S.-Sultanganj, District-Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Meeta Devi W/o Shailendra Kumar D/o Sri Shiv Ratan Prasad, Resident
of Mohalla – Ghagha Gali, P.S. Chowk Patna City, District – Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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

ORAL ORDER

07/ 24-06-2015

The present application has been filed for modification of order dated 25.04.2013 passed in Cr. Misc. No. 12901 of 2013, whereby the petitioner being the husband of the complainant was granted provisional anticipatory bail for one year in connection with Complaint Case No. 728 of 2011 wherein process was directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code, pending in the court of learned SDJM, Patna City. The provisional anticipatory bail was granted to the petitioner on undertaking of the petitioner that he is ready to keep the complainant as wife with full dignity and honour. The provisional bail was to be confirmed by the learned court below on substantial restoration of the matrimonial harmony

or if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner make effort to reconcile the issue, but the complainant is not ready to reside with the petitioner and subsequently lodged another FIR with regard to the torture.

It is submitted by learned counsel for the complainant that the petitioner has performed second marriage and counter affidavit to that effect has been filed.

It is orally submitted by learned counsel for the petitioner that the complainant has also performed second marriage.

In that view of the matter, this Court is not inclined to interfere. Accordingly, this application is disposed of.

Let the learned court below consider the prayer for regular bail of the petitioner.

(Dinesh Kumar Singh, J)

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