

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53904 of 2013

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Ravindra Kumar @ Pappu S/O Ram Naresh Singh Resident Of Village
Dhaniwar, P.S. Risiup, District Aurangabad.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Neelu Devi W/O Ravindra Kumar @ Pappu Resident Of Village
Dhaniwar, P.S. Risiup, District Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

06/ 25-03-2015

The present application has been filed for
confirmation of provisional anticipatory bail granted to the
petitioner vide order dated 18.10.2012 passed in Cr. Misc. No.
39752 of 2012.

On submission that the petitioner is ready to
keep the informant as wife with full dignity and honour the
petitioner was granted provisional anticipatory bail for one year in
connection with Risiup P.S. Case No. 16 of 2012 registered for the
offences punishable under Sections 498A, 379, 323 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act, pending in the
court of learned Sub-divisional Judicial Magistrate, Aurangabad.
The provisional bail was to be confirmed by the learned court
below on substantial restoration of matrimonial harmony or the

information deliberately refuses to reside with the petitioner.

After expiry of period of one year the learned court below issued summons and petitioner's application for confirmation of provisional bail was rejected vide order dated 19.10.2013 which has been challenged by the petitioner through I.A. No. 427 of 2015.

It is submitted by learned counsel for the petitioner that the order of the learned court below reflects that the information failed to appear before the learned court below.

The notices were issued to the informant-opposite party no. 2 in the present modification application vide order dated 15.01.2014. The notices were received by the grand father of the informant-opposite party no. 2 which was treated to be valid service on affidavit with regard to the jointness of informant-opposite party no. 2 with her grand father being filed by the petitioner, but none is appearing on behalf of informant-opposite party no. 2.

Since the period of provisional bail have already elapsed, this Court is not inclined to interfere, but considering the fact that the informant failed to appear before this Court or the learned court below, this Court is of the view that the aforesaid facts constitute ground for consideration of prayer

for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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