

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49258 of 2016

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Rana Das @ Rana Kumar Das Son of Late Narayan Das

.... Petitioner/s

Versus

1. The State of Bihar.

2. Soma Pal W/o Rana Das R/o Nepalgarh Colony, Bard No.7, P.S.-
Kishanganj, District- Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Anant Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-11-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The present application has been filed for
modification of the order dated 28.09.2015 passed in Criminal
Miscellaneous No.45713/2015 for extending the period for
surrender.

The petitioner being the husband of the
complainant was granted provisional bail for one year, in a
complaint case wherein processes have been directed to be
issued after cognizance being taken under sections 498A IPC
and 4 of the Dowry Prohibition Act, on readiness of the
petitioner to keep the complainant as wife with dignity and

honour. The provisional bail of the petitioner was to be confirmed by the learned court below in three eventualities "*if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or; (iii) if the complainant gets reluctant to reconcile the issue.*"

It is submitted by learned counsel for the petitioner that the petitioner could not surrender within the stipulated period of twelve weeks since his sister was suffering from cancer.

It appears that the present application has been registered on 15.11.2016 for modification of the order dated 28.09.2015 much after expiry of the period of one year.

Under the circumstances, this Court is not inclined to entertain the prayer for modification of the order aforesaid, but keeping in view of the fact the petitioner is still ready to keep the complainant as wife with dignity and honour, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of three weeks in connection with Complaint Case No.C208 of 2013, pending before the learned S.D.J.M.,

Kishanganj.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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