

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21654 of 2014

Arising Out of PS.Case No. -472 Year- 2011 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Phulmani Devi wife of Jitendra Poddar and daughter of Late Asharfi Poddar

.... Petitioner/s

Versus

1. The State of Bihar

2. Jitendra Poddar son of Rajendra Poddar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dronacharya, Advocate

For the Opposite Party/s : Mr. M.K.Khare (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-10-2016 Heard learned counsels for the petitioner-informant
and the State.

The present application has been filed for
cancellation of bail, granted to opposite party no. 2 being the
husband of the petitioner-complainant vide order dated
24.04.2013 in Criminal Miscellaneous No.12636/2013 in
connection with Complaint Case 472C/2011, pending in the
Court of learned CJM, Khagaria, wherein process has been
directed to be issued after cognizance being taken under sections
498A of the Indian Penal Code and 4 of the Dowry Prohibition
Act.



The opposite party no.2 being husband of petitioner-complainant was granted provisional anticipatory bail for one year, on submission to keep the petitioner-complainant as wife with full dignity and honour. The provisional anticipatory bail of opposite party no.2 was to be confirmed by the learned Court below on substantial restoration of the matrimonial harmony within one year or if the complainant deliberately refused to reside with the petitioner.

It is submitted by learned counsel for the petitioner-complainant that opposite party no.2 failed to comply the undertaking given before this Court.

It appears that the period of provisional bail has lapsed on 23.04.2014, hence, the opposite party no.2 is no longer on provisional bail.

It is further submitted by learned counsel for the petitioner-complainant that there is nothing on record to suggest that the provisional bail of opposite party no.2 has been confirmed by the learned court below.

In the circumstances, the present application for cancellation of provisional bail of opposite party no.2 has become infructuous and accordingly, it is disposed of.

Let the learned Court below pass appropriate order in

the matter.

(Dinesh Kumar Singh, J)

Ashwini/-

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