

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34148 of 2014

Arising Out of Complaint Case No.. -1436 Year- 2010 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Reena Devi W/O Sujeet Sah Maharana, D/O Shivjee Sah

.... Petitioner/s

Versus

1. The State of Bihar null null

2. Sujeet Sah Maharana S/O Asarfi Maharana

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsels for the petitioner-

complainant 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 23.07.2012 in Criminal Miscellaneous No.24661/2012 in connection with C.R. Case No. 1436/2010, pending in the Court of learned CJM, Samastipur, wherein process has been directed to be issued after cognizance being taken under sections 498A and 323 of the Indian Penal Code.

The opposite party no.2 being husband of petitioner-complainant was granted provisional anticipatory bail for one year, on submission to keep her 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 in three eventualities on substantial restoration of matrimonial harmony within period of one year, or if the complainant deliberately refuses 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 22.07.2013, 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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