

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33150 of 2016

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Mukesh Jha @ Mukesh Kumar Jha Son of Narendra Nath Jha Resident of
village- Dhakjari, P.S.- Benipatti, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Puja Wife of Mukesh Kumar Jha, Daughter of Amrendra Kumar Jha At Present residing at Mohalla- Mishra Toli, P.S.- Town (Darbhanga), District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-08-2016

Heard learned counsels for the petitioner
and the State.

The present application has been filed for
modification of order dated 04.01.2016 passed in Cr. Misc. No.
58575 of 2015 whereby petitioner was granted provisional
anticipatory bail in Complaint Case No. 1462 of 2012 wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Sections 384, 380, 406,
323, 498A of the Indian Penal Code and 3/4 of Dowry
Prohibition Act, pending in the court of learned SDJM,
Darbhanga.

The provisional bail was granted on

readiness of the petitioner to keep the complainant as wife with full dignity and honour and the fact that the petitioner filed Matrimonial Suit No. 179 of 2014 for restitution of conjugal rights. The provisional bail was to be confirmed by the learned court below in three eventualities:- (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

In view of this Court, the present application is premature. Hence, this Court is not inclined to interfere at this stage.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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