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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52994 of 2015

Arising Out of PS.Case No. -1669 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District- MADHUBANI

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1. Kailash Thakur son of Govind Sharma @ Govindra Sharma @ Bhikha Thakur, resident of village- Kasiyouna, P.S. Raj Nagar, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Daughter of Late Shiv Kumar Sharma resident of village- Pariharpur, P.S.- Rajnagar, District- Madhubani

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.
For the Opposite Party/s : Mr. Smt. Anuradha Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 17-02-2016 Heard learned counsel for the parties.

The petitioner apprehending arrest in connection with C.R. Case No.1669 of 2013 for the offences punishable under Sections 323,498A, 379, 504/34 of the Indian Penal Code, has prayed for anticipatory bail.

It is in consideration of the submission made on behalf of the petitioner as to his willingness for restoration of matrimonial harmony and settlement of the dispute that notice was issued to the opposite party No.2 and until further orders, the petitioner was granted provisional bail in the event of his arrest or surrender within 4 weeks. Such order was passed on 16.12.2015. The matter upon return of notice was taken up on 3.2.2016 and when again there was a reflection towards a settlement of dispute. The matter

was adjourned to be taken up on 10.2.2016 and it is from this date that the petitioner started to play around as he neither appeared before this Court nor took any steps for settlement this regard. In other words having obtained a provisional bail on the allegation that it is the opposite party complainant who was running way from settlement and that he was always willing to restore matrimonial harmony but the petitioner started playing games. This Court by way of an extra ordinary indulgence gave one more chance to the petitioner to honour his statement and the matter was adjourned until today subject to payment of cost of Rs. 700/- which also has not been paid.

In the circumstances discussed and viewing the conduct of the petitioner as well as taking note of the nature of allegations, I am not satisfied to confirm the provisional bail granted to the petitioner vide order passed on 16.12.2015 which stands recalled.

The petitioner is directed to surrender before the court below and pray for regular bail which shall be considered and disposed of on its own merits.

This application is dismissed.

Bibhash/-

(Jyoti Saran, J)

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