

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8779 of 2016

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Md. Samim, Son of Idris Mian, Resident of Village- Tekanwas, P.S.
Mahammadpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Md.A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2016

The present application has been filed for modification of the order dated 13.05.2013 passed in Cr. Misc. No. 17564 of 2013 to the extent of confirming the provisional bail granted to the petitioner in connection with Baikunthpur P.S. Case No. 135 of 2012 registered for the offences punishable under Sections 498A, 323 and 406/34 of the IPC and Section 3/4 of the Dowry Prohibition Act pending in the court of learned CJM, Gopalganj.

The petitioner was granted provisional anticipatory bail for one year on his readiness to keep the informant as wife with full dignity and honour. The learned court below was directed to issue notice to the informant for her appearance when the petitioner was to take the informant to her matrimonial home to keep her as wife with full dignity and honour. The provisional bail of the petitioner was to be confirmed by learned court below on

substantial restoration of matrimonial harmony or if the informant deliberately refused to reside with the petitioner.

Since for modification of the order dated 13.05.2013, the modification application has been registered on 22.02.2016, this Court is not inclined to interfere.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks keeping in view that the petitioner is still ready to keep the informant as wife with full dignity and honour.

Accordingly, the order dated 13.05.2013 passed in 17564 of 2013 is hereby rescinded and modification application is accordingly, disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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