

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8356 of 2016

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Shashi Ranjan @ Ashish Kumar Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. P.K.Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 30-03-2016

The present application has been filed for modification of the order dated 10.04.2013 passed in Cr. Misc. No. 9417 of 2013 to the extent of extending the period of provisional bail.

The petitioner being the husband of the complainant was granted provisional bail in a complaint case wherein process was directed to be issued after cognizance being taken for the offence punishable under Section 498A of the IPC on his readiness to keep the complainant as wife with full dignity and honour. The provisional bail of the petitioner 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 deliberately refuses to reside with the petitioner or (iii) if the complainant fails to appear before the learned court below”. The petitioner also filed Cr. Misc. No. 13752 of 2015 for modification of the order dated 10.04.2013 passed in Cr. Misc.

No. 13572 of 2015 but the same was dismissed as withdrawn. Now the present modification application has been filed on the ground that marriage between the parties has been dissolved vide Matrimonial Suit No. 289 of 2014 on the basis of compromise.

Since the earlier modification application was dismissed as withdrawn, this Court is not inclined to interfere, but since marriage has been dissolved between the parties, it is a case for consideration of regular bail of the petitioner if he surrenders within a period of six weeks in connection with Complaint Case No. 63 of 2011 pending in the court of learned SDJM, Bhagalpur.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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