

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25893 of 2016

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1. Chandan Kumar S/o Rama Shankar Singh resident of village- Jarang
Rampur, P.S.- Vaishali, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari W/o Chandan Kumar, Daughter of Pasupati Prasad Singh
resident of village-Sihma Kalyan, P.S.- Bhagbanpur, District- Vaishali.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 29-06-2016 The present application has been filed for
modification of the order dated 11.11.2013, passed in Cr.
Misc. No. 22493 of 2013 to the extent of confirmation of
anticipatory bail of the petitioner.

Petitioner being the husband of the informant was
granted provisional anticipatory bail for one year in
connection with Vaishali (Belsar O.P.) P.S. Case No. 07 of
2013, pending in the court of Sub-Divisional Judicial
Magistrate, Vaishali at Hajipur. The provisional anticipatory
bail was granted on the joint prayer of the parties that the



issue has been reconciled between the parties with condition that the provisional anticipatory bail of the petitioner will be confirmed by the learned court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned court below (iii) If the informant is reluctant to reconcile the issue.

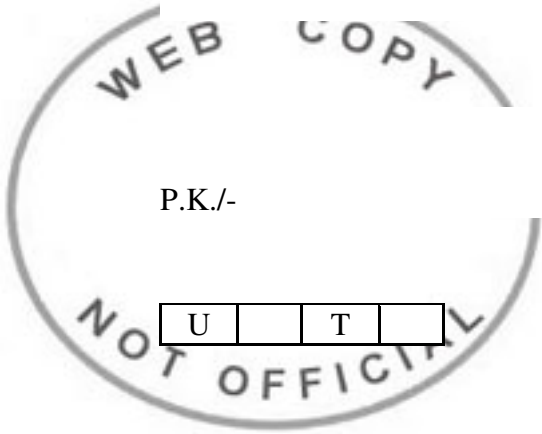
It is submitted by the learned counsel for the petitioner that issue was reconciled for few months, but when the petitioner took the informant to P.M.C.H. for treatment then her parents assaulted the petitioner's family for which the petitioner filed Complaint Case No. 4226 of 2013 against the family members of the informant.

Considering the fact that the present application has been filed for modification of the order dated 11.11.2013 passed in Cr. Misc. No. 22493 of 2013, this court is not inclined to interfere.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Vaishali (Baillser O.P.) P.S. Case No. 07 of 2013, pending in the court of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur.

With the above observation this

application is disposed of.



P.K./-

(Dinesh Kumar Singh, J)