

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52393 of 2016

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1. Pinki Kumari, D/o Nagendra Thakur, resident of Village- Ashadhi, P.S.-
Tajpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajeev Jha, S/o Sadhu Sharan Jha, resident of Village- Raghunathpur
Bela, P.S.- Muffasil, District- Samastipur, at present residing at
Kashipur, Near Acharya Science Coaching, P.S.- Town, District-
Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2016

The present application has been filed for modification of the order dated 23.08.2016 passed in Cr. Misc. No. 36346 of 2016, whereby the petitioner being husband of the informant was granted provisional anticipatory bail for one year on submission of the counsel for the petitioner that petitioner is ready to keep the informant with dignity and honour, in a case registered for the offences punishable under Sections 323, 341, 354, 379, 498A, 504/34 of the Indian Penal Code. The provisional bail was to be confirmed by learned Court below in three eventualities i.e. (i) if the matrimonial harmony is substantially restored or (ii) if the informant failed to appear or (iii) if the informant deliberately refuses to reside with the petitioner.

The order of this Court dated 23.08.2016



passed in Cr. Misc. No. 36346 of 2016 is sought to be modified on the ground that petitioner is not ready to keep the informant, rather he is ready to make payment of one time settlement amount.

In view of the frequent inconsistent stand of the petitioner, this Court is not inclined to interfere. Let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Samastipur Mahila P.S. Case No. 01 of 2016, pending in the Court of learned Additional Chief Judicial Magistrate, Samastipur.

Accordingly the modification application is disposed of.

(Dinesh Kumar Singh, J)

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