



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28457 of 2014

Arising Out of PS.Case No. -817 Year- 2008 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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Sabana Khatoon Wife of Md. Mustafa, Daughter of Late Jalal

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Mustafa Son of Md. Habib

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsels for the petitioner-informant and the State.

The present application has been filed for cancellation of bail, granted to opposite party no. 2 being the husband of the petitioner-informant vide order dated 13.01.2012 in Criminal Miscellaneous No.1163/2012 in connection with Complaint Case No.817/2008, pending in the Court of learned SDJM, Muzaffarpur, instituted for the offences punishable sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.



The opposite party no.2 being husband of petitioner-informant was granted provisional anticipatory bail for one year, on submission to keep the informant as wife with full dignity and honour. The provisional anticipatory bail of opposite party no.2 was to be confirmed by the learned Court below within a period of one year on substantial restoration of the matrimonial harmony or if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner-informant that opposite party no.2 failed to comply the undertaking given before this Court.

It appears that the period of provisional bail has lapsed on 12.01.2013, hence, the opposite party no.2 is no longer on provisional bail.

It is further submitted by learned counsel for the petitioner-informant that there is nothing on record to suggest that the provisional bail of opposite party no.2 has been confirmed by the learned court below.

In the circumstances, the present application for cancellation of provisional bail of opposite party no.2 has become infructuous and accordingly, it is disposed of.

Let the learned Court below pass appropriate order in
the matter.

Ashwini/-

(Dinesh Kumar Singh, J)

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