

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9634 of 2015

Arising Out of PS.Case No. -15 Year- 2012 Thana -MAHILA P.S. District- SAMASTIPUR

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Shama Perween Daughter of Abdul Hakim, Wife of Mintullah @ Guddu
Resident of Village - Siwaiya, Police Station - Singhiya, District -
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Mintullah @ Guddu @ Minnatullah Son of Md. Mokim Resident of
Village - Jahangirpur Tola, Haldhari, Police Station - Singhiya, District
- Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi
For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 26-10-2016

None appears.

The present application has been filed for
cancellation of bail, granted to opposite party no. 2 vide order
dated 07.01.2015 passed in Cr. Misc. No. 32528 of 2014 in
connection with Women P.S. Case No. 15 of 2012, pending in the
court of learned CJM, Samastipur.

The opposite party no. 2 being the husband of
the petitioner-informant was granted provisional anticipatory bail
for one year in a case registered for the offences punishable under
Sections 498A, 323, 341, 342, 504/34 the Indian Penal Code and
3/4 of Dowry Prohibition Act, on the submission on behalf of

opposite party no. 2 that he is ready to keep the petitioner-informant as wife with full dignity and honour, which was extended vide order dated 07.01.2015 till 30th June, 2015. The provisional bail was to be confirmed within one year by the learned court below on substantial restoration of matrimonial harmony between the parties within a period of six months or if the informant fails to appear or if the informant is reluctant to reconcile the issue.

There is nothing on the record to suggest that the provisional bail of opposite party no. 2 has confirmed. It appears that the period of provisional bail has lapsed on 01.07.2015, hence the opposite party no. 2 is no longer on provisional bail.

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.

(Dinesh Kumar Singh, J)

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