

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10081 of 2015

Arising Out of PS.Case No. -147 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Seema Devi Wife of Tunnu Kumar @ Kaushal Kumar, Daughter of Sh. Krishna Deo Verma, Resident of Mohalla - Saguna, P.O. - Danapur Cantt., P.S. - Danapur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar. null null
2. Tunnu Kumar @ Kaushal Kumar, S/o Shri Kapildeo Narayan, Resident of Mohalla - Pram Nagar, Chak Bairiya, P.S. - Gopalpur, Sampatchak, District-Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradip Kumar

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 26-10-2016

Heard learned counsels for the petitioner and

the State.

The present application has been filed for cancellation of bail, granted to opposite party no. 2 vide order dated 01.10.2013 passed in Cr. Misc. No. 26553 of 2013 in connection with in Complaint Case No. 147(C) of 2012, pending in the court of learned SDJM, Danapur, Patna.

The opposite party no. 2 being the husband of the petitioner-complainant was granted provisional anticipatory bail for one year in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A 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-complainant as wife with full dignity and honour. The provisional bail was to be confirmed within one year by the learned court below in three eventualities:- (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant gets reluctant to reconcile the issue, or (iii) if the complainant fails to appear before the learned court below.

Learned counsel for the petitioner submits that the opposite party no. 2 has failed to comply the undertaking given before this Court and the application for confirmation of bail has been rejected by the learned court below.

It appears that the period of provisional bail has lapsed on 30.09.2014, 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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