

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1051 of 2015**

Arising Out of PS.Case No. -835 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-  
SITAMARHI

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Chanda Devi Wife of Pankaj Kumar, D/o Bhola Sah Resident of Village -  
Panchore, P.S.- Rlga, District - Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar @ Pankaj Kumar Sah Son of Kishori Prasad Gupta @  
Madan Sah Resident of Village - Belsand, P.S.- Belsand, District -  
Sitamarhi.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s : Mr. Yogendra 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 24.09.2013 passed in Cr. Misc. No. 25623 of 2013 in  
connection with Complaint Case No. C1-835 of 2013, pending in  
the court of learned CJM, Sitamarhi.

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 Section 498A the Indian Penal Code, 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 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 complainant fails to appear before the learned court below (iii) if the complainant is reluctant to reconcile the issue.

There is nothing on the record to suggest that the provisional bail of opposite party no. 2 has been confirmed. It appears that the period of provisional bail has lapsed on 23.09.2014, 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)**

DKS/-

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