

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47746 of 2016

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1. Rajeev Kumar Lal @ Ravi S/o Sri Ram Sharan Lal Karn, permanent resident of Village- Balha Maqsudchak, P.S.- Dumri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Menka Karn D/o Rabindra Lal, W/o Rajeev Kumar Lal @ Ravi, at present resident of village- Jhanjhihat, P.S.- Pupri, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sinha

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-11-2016

The present application has been filed for modification of the order dated 02.09.2015 passed in Cr. Misc. No. 41706 of 2015, whereby the petitioner being husband of the complainant was granted provisional anticipatory bail for one year on readiness of the petitioner to keep the complainant as wife with full dignity and honour in connection with Complaint Case No. C-1/357/2014 wherein processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code. The provisional bail of the petitioner 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 complainant fails to appear before learned Court below or (iii) if the complainant gets reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that matrimonial harmony could not be restored due to the apathetic attitude of the complainant.

Considering the fact that provisional bail of the petitioner lapsed on 01.08.2016 whereas the present modification application was filed on 28.10.2016, this Court is not inclined to interfere.

However, since the petitioner is still ready to keep the complainant with dignity and honour, it is a case for consideration of prayer for bail, if the petitioner surrenders within a period of six weeks and pray for regular bail in connection with Complaint Case No. C-1/357/2014, pending in the Court of learned Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi.

Accordingly the modification application is disposed of.

(Dinesh Kumar Singh, J)

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