

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47216 of 2013**

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Juhi Kumari D/O Jitendra Sharma R/O Village- Makhara, P.S.- Daud Nagar, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. Mani Bhushan Sharma S/O Devendra Sharma R/O Village- Jhiguri, P.S.- Pauthu, District- Aurangabad.

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

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Nirmala Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

02/ 19-10-2016

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 13.05.2013 passed in Cr. Misc. No. 16257 of 2013 in connection with Pauthu P.S. Case No. 29 of 2012, pending in the court of learned CJM, Aurangabad.

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 of 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. The provisional bail was to be confirmed within one year by the learned court below on substantial restoration of the matrimonial harmony or if the informant deliberately refuses to reside with the opposite party no. 2.

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

It appears that the period of provisional bail has lapsed on 12.05.2014, hence, the opposite party no. 2 is no longer on provisional bail.

It is submitted by learned counsel for the petitioner-complainant that there is nothing on the 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.

**(Dinesh Kumar Singh, J)**

DKS/-  

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