

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21699 of 2017

=====

1. Shatrughan Mukhiya @ Shatrudhan Mukhiya Son of Darshan Mukhiya,
Resident of Village- Sitapur, Police Station- Karjain, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sanju Devi, Wife of Shatrughan Mukhiya @ Shatrudhan Mukhiya,
Daughter of Sadanand Mukhiya, R/o Vill.- Jiwachpur, P.S.- Bhimpur,
Distt.- Supaul.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Sakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-05-2017

Heard.

The present application has been filed for modification of the order dated 09.02.2017, passed in Criminal Miscellaneous No.46973/2016 to the extent that the date of appearing before the learned Court below and the period of surrender is extended in connection with Karjain P.S. Case No.43/2016, pending before the learned Judicial Magistrate, 1st Class, Birpur, Supaul, registered for the offences punishable under sections 498A, 494/34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

The petitioner being the husband of informant was granted provisional anticipatory bail for six months, on



submission that the petitioner has not performed second marriage and he is ready to keep the informant as wife with full dignity and honour also both sides agreed to appear before the learned Court below, a statement to that effect has been made in paragraph no. 6 of the main petition, which reads as under :-

"That, the petitioner is ready to keep the informant as his legally married wife with full dignity and honour."

The offer of the petitioner was accepted by the informant when both sides agreed to appear before the learned Court below on 20th of February, 2017 when petitioner was to take the informant to keep her as wife. The provisional anticipatory bail of petitioner no.1 was to be confirmed by the learned Court below in three eventualities i.e., (i) on substantial restoration of matrimonial harmony or (ii) if the informant gets reluctant to reconcile the issue or (iii) if the informant fails to appear before the learned Court below.

It is submitted by learned counsel for the petitioner that due to some misconception the petitioner could not appear before the learned Court below. Now, he is ready to appear on 1st June, 2017, hence, the date of appearance be re-fixed.

Considering the nature of accusation and the stand of the petitioner the date of appearance is re-fixed as 1st June, 2017



and the period of surrender is extended by three week from the date of receipt/production of a copy of this order. The petitioner will serve a copy of this order upon the learned counsel appearing on behalf of the informant before the learned Court below as well as upon the informant opposite party no.2 within a period of one week on receipt/production of a copy of this order.

The rest conditions as stipulated in the order dated 09.02.2017, passed in Criminal Miscellaneous No.46973/2016 will remain same.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

