

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26230 of 2017

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1. Sunil Kumar Yadav S/o Lalo Yadav Resident of Village-Jorawarganj,
P.S.-Kumarkhand, District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Pappi devi W/o Sunil KUMar Yadav D/o Late Prithvi Yadav, Resident of
Village-Bhangarwara, Ward No. 6, P.S. Shrinagar, District-Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 By way of present modification application, petitioner seeks to modify the order 15.02.2017 passed in Criminal Miscellaneous No. 5789 of 2017, vide which the petitioner were directed to renew his prayer for bail on 21.02.2017 with a prayer to keep his wife with full honour and dignity and it was directed on the said date opposite party no. 2 shall also present herself, and learned court below on being satisfied with the aforesaid prayer shall enlarge the petitioner on provisional bail for a period of six months to his satisfaction and shall also watch their conduct by calling them each month for six months and only after being satisfied himself with the conduct of the petitioner during the aforesaid period, shall confirm the provisional bail of the petitioner, otherwise he is free to pass any order as he deems fit.

It has been submitted by learned counsel for the



petitioner that in compliance of the above order, opposite party no. 2 lived with the petitioner for one month but, thereafter, she again deserted him and is not ready to live with the petitioner and in such a situation, petitioner has moved before this Court for modification of the order 15.02.2017 passed in Criminal Miscellaneous No. 5789 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let petitioner move before the court concerned drawing attention of the court towards the facts and the court below after issuing notice to opposite party no. 2 shall consider the submissions made by learned counsel for the petitioner and after hearing both the parties, shall pass an appropriate order.

It is made clear that if the petitioner is not found at fault, learned court below may confirm the bail bonds of the petitioner else the court will be free to pass any order as he deems fit and proper.

With the above observation, this modification application is disposed of.

(Vinod Kumar Sinha, J)

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