

Raushan Kumar, Son of Late Lal Bihari Singh, Resident of Mohalla- New Phadpur Police Colony, Anishabad, Police Station- Gardnibagh, District- Patna.

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Nalin Kumar
For the Opposite Party/s : Mr. Smt Pushpa Sinha



The provisional bail of the petitioner was to be confirmed by learned Court below in three eventualities (i) on substantial restoration of matrimonial harmony or (ii) if the complainant gets reluctant to reconcile the issue or (iii) if the complainant fails to appear before learned Court below.

It is submitted by learned counsel for the petitioner that in pursuance to the order of this Court, the learned Court below was directed to issue notice to the complainant but still the notices have not been issued. Hence, the issue could not be reconciled.

Considering the fact that provisional bail of the petitioner lapsed on 07.07.2016 when the present modification application has been filed on 21.12.2016 much after expiry of the period of provisional bail, this Court is not inclined to modify the earlier order. Let learned Court below consider the prayer for bail of the petitioner, keeping in view of the nature of accusation, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 1653C of 2013, pending in the Court of learned Sub-Divisional Judicial Magistrate, Patna.

Accordingly the modification application is disposed off.

(Dinesh Kumar Singh, J)

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