

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8707 of 2017**

=====

Bhola Vishwakarma, son of Shri Shyam Sundra Vishwakarma  
..... Petitioner/s

Versus

State of Bihar & Anr  
..... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate  
For the Opposite Party/s : Mr. Md. Ansarul Haque, Advocate

=====

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

2      22-02-2017                      Heard.

The present application has been filed for modification of the order dated 23.11.2015 passed in Criminal Miscellaneous No.53311/2015 to the extent for extending the period for confirmation of the provisional anticipatory bail to the petitioner.

The petitioner being husband of the informant was granted provisional bail for one year in a case registered for the offences under sections 498A, 384, 379, 504 IPC and 3/4 of the Dowry Prohibition Act, on readiness of the petitioner to keep the informant as wife with dignity and honour. A statement to that effect has been made in paragraph no.12 of the main petition, which reads as under :-

"That it is also relevant to mention here that the petitioner is ready to keep with his wife with all bonafide and dignity."



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

The present modification application for extending the period for confirmation of the provisional bail is not maintainable on two grounds. Firstly, that the period of one year of provisional bail has already been lapsed on 22.11.2016 when the present modification application has been registered on 20.02.2017 and, secondly, on the ground that the bail bond of the petitioner has been cancelled vide order dated 16.01.2017 passed by the learned Court below and non-bailable warrant of arrest has also been issued but the said order has not been challenged. However, it is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the informant with dignity and honour.

Under the circumstances, this Court is not inclined to revise the earlier order, but keeping in view of the present stand of the petitioner, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Jamui Mahila



P.S. Case No.71/2015, pending before the learned SDJM, Jamui.

With the above observation, this application is,  
accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

