

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19310 of 2017

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Satish Mahto @ Chatish Mahto, Son of Punit Mahto, Resident of Village -
Kalyanpur, Police Station Baliya, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Archna Devi, daughter of Niranjana Mandal, Resident of village & Post
Dharahara, Police Station - Dharahara, District - Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh, Adv.
For the Opposite Party/s : Mr. Sri Madhuranand Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2017 Heard.

The present application has been filed for modification of the order dated 26.02.2016 passed in Criminal Miscellaneous No.9823 of 2016 in connection with Mahila P.S. Case No.15 of 2015, pending before the learned ACJM-III, Munger, to the extent of confirming the provisional bail.

The petitioner being the husband of the informant was granted provisional anticipatory bail for one year in a case registered under sections 498A/34 of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act, on submission that the



petitioner is ready to keep the informant as wife with full dignity and honour. The provisional anticipatory bail of petitioner was to be confirmed by the learned Court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored (ii) or if the complainant fails to appear before the learned Court below or (iii) or if the complainant deliberately gets reluctant to reconcile the issue.

The order of this Court stipulates that notices had to be issued to the informant, but it appears from annexure-3 a petition filed by the petitioner that neither notices were issued by the learned Court below to the informant nor the petitioner made any effort to take the informant to the matrimonial house.

Since, for modification of the order dated 26.02.2016, the present modification application was filed on 18.04.2017 since the period of provisional anticipatory bail of petitioner got lapsed on 25.02.2017, hence, this Court is not inclined to interfere.

Accordingly the modification application is disposed of.

Let the learned Court below consider the prayer for regular bail of the petitioner, if he surrenders within a period of six



weeks in connection with the aforesaid case keeping in view of the fact that the petitioner is still ready to keep the informant opposite party no.2 as wife with full dignity and honour.

(Dinesh Kumar Singh, J)

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