

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30847 of 2017

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Ramakant Kumar aged about 32 years, Son of Sri Ram Balak Ram,
Resident of Village- Lohra Paranpar, P.O.- Dumari, P.S.- Barahiya, District-
Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arati Kuamri, W/o Ramakant Kumar , Resident of Village- Lohra
Paranpur, P.O.- Dumari, P.S.- Barahiya, District- Lakhisarai at present
address D/o Bahadur Ram Resident of Village -Hulukpur, P.O.-
Vishunpur Pakari, P.S.- Beur, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Sinha

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-09-2017

None appears for the petitioner.

The present application has been filed for
modification of order dated 19.03.2014 passed in Cr Misc. No.
1854 of 2014 to the extent of confirming provisional anticipatory
bail granted to the petitioner.

The petitioner, being the husband of the
informant, was granted provisional anticipatory bail for one year
vide order dated 19.03.2014 passed in Cr. Misc. No. 1854 of 2014



in a case registered for the offence punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, on the submission and statement made in paragraph 9 of the main petition that he is ready to keep the informant as wife with full dignity and honour.

The learned Court below was supposed to issue notice to the informant and on her appearance, the petitioner was supposed to take the informant to her matrimonial house to keep her as wife with full dignity and honour. The provisional bail was to be confirmed by the learned Court below in three eventualities- (i) if the matrimonial harmony is substantially restored within one year, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant deliberately gets reluctant to reconcile the issue.

Considering the fact that the period of provisional anticipatory bail of the petitioner got lapsed on 18.03.2015, whereas the present modification application has been registered on 04.07.2017, this Court is not inclined to modify the earlier order. However, the present order will not preclude the learned Court below to consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with



Beur P.S. Case No. 107 of 2012, pending in the Court of learned
SDJM, Patna.

Accordingly, this application is disposed of.

DKS/-

(Dinesh Kumar Singh, J)

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