

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44110 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Aurangabad

=====

Sheo Janam Kumar, Son of Dwarika Das, Resident of Village-Panch Bigha,
P.O. Rampur, P.S. Karpi, District-Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari, Daughter of Sri Mohan Ram, Resident of Village-Fatehpur, P.O. Shihari, P.S. Hashpura, District-Aurangabad.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. SRI ARUN KUMAR SINGH -5

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-10-2017 Heard learned counsels for the parties.

The present application has been filed for modification of order dated 30.9.2015 passed in Cr. Misc. No. 46424 of 2015 to the extent of extending the period of provisional anticipatory bail for six months.

The factual matrix of the case is that the petitioner being the husband of the informant was granted provisional anticipatory bail for one year vide order dated 30.9.2015 passed in Cr. Misc. No. 46424 of 2015 in a case registered for the offences punishable under Section 498A of the IPC on the admission and submission of the petitioner that he is married with the informant and is willing to keep her as



wife with full dignity and honour. Statement to that effect was made in paragraph 8 of the main application.

Learned court below was supposed to issue notice to the informant. The provisional bail of the petitioner was to be confirmed in three eventualities - (i) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

Considering the fact that the period of provisional anticipatory bail of the petitioner got lapsed on 29.9.2016, this Court is not inclined to interfere. However, keeping in view of the nature of accusation and the fact that the petitioner was granted provisional anticipatory on his admission and submission that he is ready to keep the informant as wife with full dignity and honour, learned court below is expected to consider the prayer of the petitioner for regular bail in case the petitioner surrenders within six weeks in connection with Haspura P.S. Case No. 31 of 2013 pending in the court of the learned SDJM, Daudnagar, Aurangabad.



With the aforementioned observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

