

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52624 of 2017

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

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Vikash Kumar @ Vikash Prasad

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Mr. SRI DAMODAR PRASAD TIWARY

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-11-2017 Heard learned counsels for the parties.

The present application has been filed for modification of order dated 9.12.2016 passed in Cr. Misc. No. 38782 of 2016.

The petitioner was granted provisional anticipatory bail for a period of six months vide order dated 9.12.2016 passed in Cr. Misc. No. 38782 of 2016 in a complaint case filed with accusation under sections 313,323,406 and 498A of the IPC and sections 3 and 4 of the Dowry Prohibition Act. The provisional bail of the petitioner was to be confirmed by the learned court below if on conclusion of enquiry it is found that the petitioner has not performed marriage and if it is found otherwise then the petitioner was supposed to surrender and pray for regular bail.

Learned counsel for the petitioner has drawn the attention of the court towards the order dated 23.9.2017 passed by the



learned ACJM VI, Nawada whereby the learned court below came to the conclusion that a forced marriage was performed without the consent of the petitioner Vikash Kumar and his family members. However, the learned court below failed to confirm the provisional anticipatory bail granted to the petitioner.

It is submitted that the bail bonds of the petitioner have not been cancelled.

In the circumstances, the period of provisional anticipatory bail of the petitioner is extended till 30th November, 2017 and the learned court is expected to confirm the provisional anticipatory bail if the bail bonds of the petitioner have already not been cancelled. It is made clear that in case the bail bonds have already been cancelled, the petitioner will surrender and pray for regular bail.

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

(Dinesh Kumar Singh, J)

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