

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.409 of 2017

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1. Ram Kumar Paswan, S/o Sakaldev Paswan, Resident of Village -
Manikpur, P.S. - Suryagarha, District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-01-2017

The present modification application has been filed for extension/confirmation of provisional anticipatory bail granted to the petitioner for one year vide order dated 27.08.2013 passed in Cr. Misc. No. 23073 of 2013 in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The provisional bail was granted to the petitioner on readiness of the petitioner to keep the complainant along with children with full dignity and honour. Both sides agreed to appear before learned Court below on 23rd of September, 2013 when petitioner was to take the complainant along with children with full dignity and honour. The provisional bail of the petitioner was to be confirmed by learned Court below if the matrimonial harmony is



substantially restored or if the complainant deliberately refuses to reside with the petitioner or if the complainant fails to appear before the learned Court below.

It is submitted by learned counsel for the petitioner that the issue could not be reconciled due to the latches on the part of the complainant.

Considering the fact that the provisional bail of the petitioner lapsed on 26.08.2014 when the present modification application has been filed on 09.01.2017 much after expiry of the period of provisional anticipatory bail, this Court is not inclined to modify the earlier order. Let learned Court below consider the prayer for bail of the petitioner keeping in view of the nature of accusation, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 2418C of 2010, pending in the Court of learned Sub-Divisional Judicial Magistrate, Begusarai.

Accordingly the modification application is disposed off.

(Dinesh Kumar Singh, J)

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