

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16979 of 2017

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Santosh Kumar Madhesia

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2017

Heard.

The present application has been filed for modification of the order dated 18.05.2015 passed in Criminal Miscellaneous No.17599/2015 in connection with Complaint Case No.607 of 2014, pending before the learned SDJM, Gopalganj, wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, whereby the petitioner being the husband of the complainant was granted provisional anticipatory bail for one year, on submission that petitioner is ready to keep the complainant 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 or (ii) if the



complainant fails to appear before the learned Court below or
(iii) if the complainant deliberately gets reluctant to reconcile the
issue.

There is nothing on record to suggest that the
petitioner complied the undertaking given before this Court.

Since for modification of the order dated
18.05.2015, the present modification application has been filed
on 04.04.2017 and the period of provisional bail of petitioner got
lapsed on 17.05.2016, this Court is not inclined to modify the
order.

Accordingly the modification application is
disposed of.

However, let the learned Court below consider the
prayer for regular bail of the petitioner keeping in view of the fact
that the petitioner is ready to resolve the issue, preferably on the
same day, if he surrenders within a period of six weeks.

(Dinesh Kumar Singh, J)

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