

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32565 of 2017

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Lal Babu Goswami @ Karan Goswami, S/o-Buchun Goswami, R/o-
Village- Haria, P.S.-Chainpur, District-Bhabua (Kaimur).

.... Petitioner/s

Versus

1. The State of Bihar
2. Suman Devi, W/o Lal Babu Goswami @ Karan Goswami @ Karan
Goswami, D/o-Birendra Goswami, R/o-Village-Samhuti, P.S.-Dinara,
District-Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 20-09-2017

The present application has been filed for
modification of order dated 23.02.2016 passed in Cr Misc. No.
255 of 2016 to the extent of confirming the provisional
anticipatory bail granted to the petitioner.

The petitioner, being the husband of the
complainant, was granted provisional anticipatory bail for one
year vide order dated 23.02.2016 passed in Cr. Misc. No. 255 of
2016 in a complaint case, wherein process has been directed to be
issued after cognizance being taken for the offence punishable
under Section 498A of the Indian Penal Code and Section 4 of
Dowry Prohibition Act, on submission of the petitioner that he is
ready to keep the complainant as wife with full dignity and



honour. Both sides agree to appear before the learned Court below on 9th March, 2016 when the petitioner was supposed to take the complainant 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) on substantial restoration of the matrimonial harmony, or (ii) if the complainant gets reluctant to reconcile the issue, or (iii) if the complainant fails to appear before the learned Court below.

It is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the complainant as wife with full dignity and honour, but on the application of the complainant the bail bond of the petitioner has been cancelled.

Since the period of provisional anticipatory bail of the petitioner got lapsed on 22.02.2017, whereas the present modification application has been registered on 12.07.2017, this Court is not inclined to modify the earlier order particularly in view of the fact that the bail bond of the petitioner has been cancelled.

Considering the nature of accusation and the stand of the petitioner that he is still ready to keep the complainant as wife with full dignity and honour, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the



learned Court below within a period of six weeks from today in connection with Complaint Case No. 218 of 2015, pending in the court of learned SDJM, Bikramganj, Rohtas.

Accordingly, this application is disposed of.

DKS/-

(Dinesh Kumar Singh, J)

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