

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40191 of 2017

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Rajeev Kumar Gupta son of Nandkishore Sah Resident of village-
Chakhussaini, P.S.- Mansi, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
2. Uma Kumari, D/o Late Rameshwar Sah, Resident of Mohalla- Purab
Sarai, P.S.- Kotwali, District Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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

ORAL ORDER

02/ 20-09-2017

None appears.

The present application has been filed for
modification of order dated 29.04.2011 passed in Cr Misc. No.
13349 of 2011 for confirmation of the provisional anticipatory
bail.

The petitioner, being the husband of the
complainant, was granted provisional anticipatory bail for six
months vide order dated 29.04.2011 passed in Cr. Misc. No.
13349 of 2011 in a complaint case, wherein process has been
directed to be issued after cognizance being taken for the offences
punishable under Section 498A of the Indian Penal Code and
Section 4 of Dowry Prohibition Act.



The learned Court below was supposed to issue notice to the complainant and on appearance the petitioner was supposed to take the complainant to her matrimonial house to keep her as wife with full dignity and honour. The provisional was to be confirmed by the learned Court below in two eventualities, if the matrimonial harmony is substantially restored or if the complainant deliberately refuses to reside with the petitioner.

Since the provisional anticipatory bail granted to the petitioner got lapsed on 28.04.2012 and the present modification application has been registered on 21.08.2017, this Court is not inclined to modify the earlier order. However, the present order will not preclude the learned Court below to consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Complaint Case No. 415C of 2010, pending in the court of learned SDJM, Munger.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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