

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1546 of 2017

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Pramod Kumar Bhagat @ Pramod Bhagat

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-07-2017

Heard learned counsel for the parties.

The present application has been filed for modification of the common order dated 24.10.2016 passed in Cr. Misc. Nos.32771 of 2016 and 33535 of 2016 whereby the husband of the informant Pramod Kumar Bhagat alias Pramod Bhagat (in Cr. Misc. No. 33535 of 2016) and mother, brother and brother's wife of the husband of the informant (in Cr. Misc. No.32771 of 2016) were granted provisional anticipatory bail/anticipatory bail in a case registered for the offences punishable under sections 341,323,324,307 and 498A IPC and sections 3 and 4 of Dowry Prohibition Act.

So far as petitioner Pramod Kumar Bhagat alias Pramod Bhagat of Cr. Misc. No. 33535 of 2016 is concerned, he being husband of the informant, was granted provisional anticipatory bail for one year vide order dated 24.10.2016



whereas in the midst of the period of one year, the present modification application has been filed on 16.1.2017.

Hence this court finds that the present modification application is fit to be dismissed on the following grounds:

- (i) The present modification application has been filed for modification of a common order passed in Cr. Misc. Nos.32771 of 2016 and 33535 of 2016 but the petitioners of Cr. Misc. No. 32771 of 2016 have not been made party.
- (ii) The contents of the modification application suggests that the same has been filed on behalf of the informant whereas the husband of the informant has been made petitioner in this application.
- (iii) The period of provisional anticipatory bail granted to the husband of the informant is yet to lapse.

Accordingly, the present modification application is dismissed as the same is pre-matured and due to wrong impleadment of the parties in connection with Saharsa Sadar P.S. Case No. 437 of 2016 pending in the court of the learned



CJM, Saharsa.

(Dinesh Kumar Singh, J)

Anil/-

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