

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15485 of 2017

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Santosh Kumar Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2017

Heard learned counsel for the petitioner and the State.

The present application has been filed for modification of the order dated 30.06.2016 passed in Criminal Miscellaneous No.7111/2016 to the extent of extending the period of provisional bail granted to the petitioner.

The petitioner was granted provisional anticipatory bail for four months vide order dated 30.06.2016 passed in Criminal Miscellaneous No.7111/2016 in a case registered under sections 323, 120B, 379, 494, 498A and 504 of the Indian Penal Code whereby the learned Court below was given liberty to conduct an enquiry with regard to factum of marriage as a preliminary issue and if the learned Court below comes to the conclusion that the petitioner has never been married with the informant then the provisional bail of the petitioner was to be confirmed, but if the learned Court below would come to a



conclusion otherwise then the petitioner will surrender and pray for regular bail.

It is submitted by learned counsel for the petitioner that the bail bond of the petitioner has now been cancelled.

Since the present modification application has been filed much after the lapse of provisional bail and the bail bonds of petitioner has already been cancelled, this Court is not inclined to interfere. But in view of the fact that the petitioner enjoyed the privilege of anticipatory bail for considerable period and the nature of accusation, it is expected from the learned Court below to consider the prayer for regular bail of the petitioner, if he surrenders within a period of six weeks in connection with Majorganj P.S. Case No.276/2015, pending before the learned CJM, Sitamarhi.

According, the application is disposed of.

(Dinesh Kumar Singh, J)

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