

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4610 of 2018

Arising Out of Complaint Case No.715C Year- 2013 Thana- District- Lakhisarai

=====

Raushan Rawat @ Raushan Kumar Rawat, S/o Hare Ram Rawat, R/o Village-
Fulwariya, P.S.- Barhat, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Devi, W/o Maheshwar Mandal, R/o Village- Oraiya, P.S. and District-
Lakhisarai.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : SRI VINOD SHANKAR MODI, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-01-2018 Heard learned Counsel for the petitioner and learned
APP for the State.

The present application has been filed for modification
of the order dated 03.03.2015, passed in Criminal Miscellaneous
No. 6558 of 2015 for 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 in connection
with Complaint Case No. 715C of 2013, pending before the
learned Judicial Magistrate, 1st Class, Lakhisarai, wherein,
process has been directed to be issued after cognizance being
taken for the offences punishable under section 498A of the
I.P.C., on submission of learned Counsel for the petitioner and



statement made in paragraph no.14 of the main application that the petitioner is ready to keep the complainant as wife with full dignity and honour and the offer of the petitioner was acceptable to the complainant. Both sides agreed to appear before the learned Court below on 16th of March, 2015, when the petitioner was to take the complainant to keep her 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) on substantial restoration of matrimonial harmony within a period of one year (ii) or if the complainant fails to appear before the learned Court below (iii) or if the complainant is reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that initially the complainant reconciled the issue, but subsequently the issue could not be reconciled due to the reluctance of opposite party no.2.

Since, the order dated 28.09.2016, passed by the learned Court below in Complaint Case No.715C of 2013, reflects that the petitioner never made any application before the learned Court below for confirming the provisional bail and his bail bond has already been cancelled, this Court is not inclined to modify the earlier order.



Accordingly the modification application is disposed
of.

Ashwini/- **(Dinesh Kumar Singh, J)**

U		T	
---	--	---	--

