

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61065 of 2017

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Harendra Kumar son of Haribhajan Ram resident of Village - Parmanpur,
P.S. - Dawath, Dist. - Rohtas, presently resident of Shyamli Colony N - 128,
Doranda, Ranchi, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari daughter of Late Lal Bihari Prasad resident of Village
+ P.O. - Nawanagar, P.S. - Nawanagar, District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 03-01-2018

The present application has been filed for modification of order dated 28.08.2015 passed in Cr. Misc. No. 40187 of 2015 to the extent of extending the period of surrender.

The petitioner, being the husband of the informant, was granted provisional anticipatory bail for one year in a case registered for the offences punishable under Sections 341, 323, 379, 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, on submission and statement made in paragraph 7 of the main petition that he is ready to keep the informant as wife with full dignity and honour when learned Court below was supposed to issue notice to the informant, and on her



appearance the petitioner was supposed to take the informant 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) if the matrimonial harmony is substantially restored; or (ii) if the informant fails to appear before learned Court below or (iii) if the informant gets reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the informant as wife with full dignity and honour. However, there is nothing on record to suggest that the petitioner has made any effort to comply the undertaking given before this Court.

Considering the fact that the period of provisional anticipatory bail got lapsed on 27.08.2016, whereas the present modification application got registered on 13.12.2017, this Court is not inclined to interfere. However, keeping in view the fact that the petitioner is still ready to keep the informant as wife with full dignity and honour, the learned Court below will consider the prayer for regular bail of the petitioner, if he surrenders before the learned Court below within a period of six weeks in connection with Nawanagar P.S. Case No. 106 of 2015, pending in the Court of learned Chief Judicial Magistrate, Buxar.



Accordingly, this modification application is
disposed of.

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

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