

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33941 of 2016**

Arising Out of PS.Case No. -1115 Year- 2012 Thana -NAWADAH COMPLAINT CASE District -  
NAWADA

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Anshu Devi, Wife of Ranjan Singh, Resident of Village – Naiya, P.S. –  
Muffasil, District – Nawadah.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Ranjan Singh, Son of Rama Kant Singh, Resident of Village – Thera,  
P.S. Warsaliganj, District – Nawada.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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

02/ 19-09-2018

Heard learned counsel for the petitioner and  
learned APP for the State.

The present application has been filed for  
cancellation of provisional anticipatory bail of opposite party no.  
2, Ranjan Singh, who being the husband of the complainant, was  
granted provisional anticipatory bail for one year vide order dated  
09.02.2016 passed in Cr. Misc. No. 46101 of 2014 in connection  
with Complaint Case No. 1115 of 2012 wherein processes have  
been directed to be issued after cognizance being taken for the  
offence punishable under Section 498A of the Indian Penal Code,



pending in the Court of learned SDJM, Nawada.

On submission made on behalf of the opposite party no. 2 that he is ready to keep the complainant with full dignity and honour and the offer being accepted by the complainant, the opposite party no. 2 was granted provisional anticipatory bail for one year. The learned Court below was supposed to issue notice to the complainant and on her appearance the opposite party no. 2 was to take the complainant to keep her as wife with full dignity and honour. The provisional anticipatory 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 complainant fails to appear before the learned Court below or (iii) if the complainant gets reluctant to reconcile the issue. There is nothing on record to suggest that the provisional bail has been confirmed by the learned Court below.

Since the period of provisional anticipatory bail got lapsed on 09.02.2016, hence, the opposite party no. 2 is not on bail. Accordingly, the present application for cancellation of bail is absolutely misconceived.

In the circumstances, the present application is dismissed as infructuous.

It is expected from the learned Court below to



pass appropriate order for appearance of opposite party no. 2, if he  
is not on bail.

**(Dinesh Kumar Singh, J)**

DKS/-

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