

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4789 of 2016

Arising Out of PS. Case No.-431 Year-2011 Thana- GAYA COMPLAINT CASE District-
Gaya

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Pawan Paswan @ Pawan Kumar son of Sri Shivlagan Paswan, resident of
Village- Chatar (Paibigha), Police Station- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Tetari Devi wife of Pawan Paswan, daughter of Sri Prayag Paswan, resident of Village- Chatar (Paibigha), Police Station- Makhdumpur, District- Jehanabad at present residing at village- Kaji Daulatpur, Police Station- Belaganj, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. P.N.Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date : 17-09-2018

This petition under Section 482 Cr. P.C. has been filed for quashing the order dated 27.8.2014 passed by the learned SDJM Gaya in complaint case no. 431 of 2011 by which learned Magistrate has not confirmed the provisional anticipatory bail granted to the petitioner by this Hon'ble High Court by order dated 13.1.12 passed in Cr. Misc. no. 1024 of 2012 as also the revisional order dated 20.12.2014 passed by the learned Sessions Judge, Gaya by which Cr. Rev. No. 154 of 2014 has been dismissed.

Heard learned counsel for the petitioner and the State .

Learned Magistrate has mentioned in the impugned order dated 27.8.2014 that this Hon'ble court by order dated 13.1.12



passed in Cr. Misc. no. 1024 of 2012 has granted provisional anticipatory bail to the petitioner with condition that provisional bail will be confirmed by the learned court below within a period of one year on substantial restoration of the matrimonial harmony or if the complainant deliberately refuses to reside with the petitioner. Learned Magistrate has mentioned in the impugned order that petitioner has not kept the complainant after grant of provisional bail and he performed another marriage and ousted the complainant. The Sessions Judge by revisional order has refused to confirm the provisional bail of the petitioner vide Cr. Rev. no. 154 of 2014.

Therefore, this Court does not find any illegality in the impugned order.

This Cr. Misc. petition is, accordingly, dismissed.

(Sanjay Priya, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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