

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56523 of 2017

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Rajesh Kumar Singh @ Bablu Kumar S/o Sri Lalchand Singh Resident of
Vill - Kharagpur, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Awanti Rana W/o Rajesh Kumar Singh D/o Shashikant Singh Resident
of Village - Pachasa, P.S. - Rahui (Bhaganbigaha), District - Nalanda
(Biharsharif).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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

02/ 03-01-2018

Learned counsel for the petitioner is permitted

to make necessary correction in the petition.

The present application has been filed for
modification of the order dated 09.05.2013 passed in Cr. Misc.
No. 15530 of 2013, whereby 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
120B, 307, 323, 379, 406, 498A of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The provisional anticipatory bail was granted
on submission of the petitioner that the petitioner is ready to keep
the informant as wife with full dignity and honour. The



provisional bail was to be confirmed by the learned Court below if the matrimonial harmony is substantially restored or if the informant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner made all efforts to reconcile the issue but the issue could not be reconciled since the informant herself deserted the petitioner. However, it is further submitted that bail bond of the petitioner has been cancelled by the learned Court below vide order dated 14.04.2014 and the same has been challenged in separate proceeding.

Considering the fact that the period of provisional anticipatory bail got lapsed on 08.05.2014, whereas the present modification application has been registered on 20.11.2017, this Court is not inclined to interfere. However, keeping in view the fact that it is submitted on behalf of the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour, the learned Court below may consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Rahui (Bhagan Bigha) P.S. Case No. 256 of 2012 pending in the Court of learned Chief Judicial Magistrate, Nalanda at Biharsharif.



Accordingly, this modification application is
disposed of.

(Dinesh Kumar Singh, J)

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