

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40141 of 2017

Arising Out of PS.Case No. -411 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Renu Devi, Wife of Bimal Kumar, D/o Lal Babu Sao, Resident of Narga,
P.S. Karpi, District Arwal, at Present resident of Amhara, P.S. Bihta,
District Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bimal Kumar, Son of Late Khublal Sao, Resident of Narga, P.S. Karpi,
District-Arwal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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

ORAL ORDER

02/ 26-09-2018

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, Bimal Kumar, who being the husband of the complainant-
petitioner, was granted provisional anticipatory bail for one year
vide order dated 17.07.2015 passed in Cr. Misc. No. 25826 of
2015 in connection with Complaint Case No. 411C of 2014,
wherein processes were directed to be issued after cognizance
being taken for the offences punishable under Sections 498A/34 of
the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act,



pending in the Court of learned SDJM, Danapur.

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. Both sides agreed to appear before the learned Court below on 10th of August, 2015, when 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 (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant gets reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner that the provisional bail has been confirmed by the learned Court below.

Since the period of provisional anticipatory bail got lapsed on 16.07.2016 hence, the opposite party no. 2 is no longer provisional anticipatory bail by virtue of the order of this Court dated 17.07.2015.

In the circumstances, this Court is not inclined



to interfere and accordingly, this application is dismissed.

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)

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