

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12189 of 2018

In
Criminal Miscellaneous No.28053 of 2016
Arising Out of PS. Case No.- Year- Thana- District- Gaya

=====

Ruhi Praveen @ Ruhi Parween, D/o Kamruddin Ansari, R/o Bhaluhan , P.S.-
Bankey Bazar, Gaya, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Parvej Alam @ Parwez Alam, S/o Md. Akbar Hussain, R/o Pandarpal
Shamsher nagar, P.O. B Polytechnic , District- Dhanbad (Jharkhand).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Opposite Party/s : Sri Suresh Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-08-2018 Heard learned counsels for the petitioner-informant

and the State.

The present application has been filed for
modification of the order dated 05.07.2016, passed in Criminal
Miscellaneous No.28053 of 2016, whereby, the opposite party
no. 2, being the husband of the petitioner-informant was
granted provisions anticipatory bail for one year, in connection
with Raushanganj Bankey Bazar P.S. Case No.51/2016,
pending before the learned SDJM, Sherghati, registered for the
offences punishable under Sections 498A/34 of the Indian
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The opposite party no.2, being husband of
petitioner-informant was granted provisional anticipatory bail



for one year, on the ground of submission made by the Opposite Party No.2 to keep her as wife with full dignity and honour. The provisional anticipatory bail of opposite party no.2 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 the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

Learned counsel for the petitioner has drawn attention of this Court towards the order dated 12.07.2017, passed by the learned SDJM in Raushanganj Bankey Bazar P.S. Case No.51/2016, whereby, the application of the opposite party no.2 with a prayer for confirmation of provisional bail has been rejected since he has failed to comply the conditions incorporated in the bail order. Hence, the present application.

It appears that the period of provisional bail has lapsed on 04.07.2017, hence, the opposite party no.2 is no longer on provisional bail.

In the circumstances, this Court is not inclined to modify the order. However, it is expected from the learned Court below to pass an appropriate order in accordance with law considering the fact that opposite party no.2 is no longer on



provisional anticipatory bail.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

