

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18603 of 2019

In
CRIMINAL MISCELLANEOUS No.36109 of 2016

Arising Out of PS. Case No.-295 Year-2015 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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RAJIV RANJAN @ RAJIV KUMAR RANJAN Son of Raghunandan Singh,
Resident of Village-Pasraha, P.S.-Pasraha, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Punam Kumari Wife of Rajiv Ranjan, D/o Abhay Kumar, Resident of Village-Hanuman Nagar, P.S.-Sour Bazar, District-Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2019 Heard learned counsels for the parties.

The present application has been filed for modification of the order dated 22.8.2016 passed in Cr. Misc. No.36109 of 2016.

The factual matrix of the case is that the petitioner being husband of the complainant in a complaint case wherein process was directed to be issued after cognizance being taken for the offences punishable under Section 498A of the IPC and Section 4 of Dowry Prohibition Act, preferred Cr. Misc. No. 36109 of 2016 with a prayer for anticipatory bail and the petitioner was granted provisional bail for a period of six



months vide order dated 22.8.2016 on the submission of the learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. The learned Court below on appearance of complainant was supposed to be confirm the provisional bail in three eventualities - (i) on substantial restoration of the matrimonial harmony, (ii) or if the complainant gets reluctant to reconcile the issue or (iii) if the complainant fails to appear before the learned Court below.

Learned counsel for the petitioner submits that the petitioner made an attempt to reconcile the issue but due to lack of bonafide on the part of the complainant the issue could not be resolved.

Considering the fact that the petitioner was granted provisional anticipatory bail for six months vide order dated 22.8.2016 which got lapsed on 21.2.2017 and the present modification application was registered on 26.3.2019, this Court is not inclined to interfere.

However, in view of the fact that the petitioner is still ready to keep the complainant as wife with full dignity and honour, it is a case for consideration of the prayer for regular bail in case the petitioner surrenders before the learned Court



below in connection with Complaint Case No. 295C of 2015
pending in the Court of the learned SDJM, Saharsa.

With the aforementioned observation/direction, this
application stands disposed of.

(Dinesh Kumar Singh, J)

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