

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13406 of 2018

Arising Out of PS. Case No.-519 Year-2014 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Anita Devi Daughter of Manik Chand Das, Resident of Village-and Post
Office Saidabad, Police Station Pali District Jehanabad.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Arunjay Das @ karu Das Son of Bhagwan Das Resident of Village-
P.O.Chhattarpur Ward P.S. Chhattarpur District-Palamu State Jharkhand.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-09-2019 Heard learned counsels for the petitioner-
complainant and the State.

The present application has been filed for
cancellation of bail, granted to opposite party no. 2 being the
husband of the petitioner-complainant, Arunjay Das @ Karu
Das, vide order dated 27.04.2016, passed in Criminal
Miscellaneous No.18268 of 2016 in connection with Complaint
Case No.519 of 2014, pending in the Court of learned SDJM,
Jehanabad, wherein process has been directed to be issued after
cognizance being taken under Section 498A of the Indian Penal
Code.

The opposite party no.2, being husband of



petitioner-complainant was granted provisional anticipatory bail for one year, on submission and undertaking made in paragraph no.3 of the bail petition to the effect that the opposite party no.2 is ready to keep the complainant as wife with full dignity and honour and both sides also agreed to appear before the learned Court below on 9th of May, 2016 when opposite party no.2 was to take the petitioner-complainant to keep her as wife. The provisional anticipatory bail of opposite party no.2 was to be confirmed by the learned Court below in three eventualities ; (I) On substantial restoration of the matrimonial harmony within a period of one year; or (ii) if the complainant fails to appear before the learned Court below; or (iii) if the complainant is reluctant to reconcile the issue.

It is submitted by learned counsel for the petitioner-complainant that opposite party no.2 failed to comply the undertaking given before this Court and provisional bail granted to him has not been confirmed till date. Though no statement to that effect has been made in the petition.

It appears that the period of provisional anticipatory bail has lapsed on 26.04.2017, hence, the opposite



party no.2 is no longer on provisional anticipatory bail.

In the circumstances, the present application for cancellation of provisional bail of opposite party no.2 is not maintainable.

This application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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