

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32402 of 2019

In
CRIMINAL MISCELLANEOUS No.45583 of 2016

Arising Out of PS. Case No.-1030 Year-2015 Thana- MUNGER COMPLAINT CASE
District- Munger

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CHANDAN KUMAR VERMA Son of Anandi Prasad Verma Resident of
Mohalla-Sharifganj, P.S. and District-Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Verma Daughter of Kishori Prasad Verma Resident of Mohalla-
Sundar Nagar, Maksuspur, P.S.-Kasim Bazar, District-Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan
For the Opposite Party/s : Mr.Rana Randhir Singh

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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 19.10.2016 passed in Cr. Misc. No.45583 of 2016 to the extent of confirmation of the provisional anticipatory bail.

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 Sections 3 and 4 of Dowry Prohibition Act, preferred Cr. Misc. No. 45583 of 2016 with a prayer for anticipatory bail and the



petitioner was granted provisional bail for a period of six months 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 and the Matrimonial Suit No. 428 of 2015 being filed by the petitioner for restitution of conjugal rights. The provisional anticipatory bail was supposed to be confirmed by learned Court below 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 bail bonds of the petitioner have been cancelled by the learned Court below vide order dated 23.4.2018.

Considering the fact that the petitioner was granted provisional anticipatory bail for six months vide order dated 19.10.2016 which got lapsed on 18.4.2017 and the present modification application was registered on 14.5.2019, this Court is not inclined to interfere. Moreover, the bail bonds of the petitioner have been cancelled.

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. 1030C of 2015 pending in the Court of the learned SDJM, Munger.

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

(Dinesh Kumar Singh, J)

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