

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9342 of 2017

Arising Out of PS. Case No.-2585 Year-2011 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Veena Kumari, Wife of Sanjeev Kumar, Resident of Village – Dayalpur Sidhouli (Baranti O.P.), P.S. Rajapakar, District – Vaishali, at present residing at Daughter of Ram Vilash Bihari, Resident of Village – Barishpur (Mal), P.O. - Satpura, P.S. Bhagwanpur, District – Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sanjeev Kumar, Son of Gambhir Das, Resident of Village – Dayalpur Sidhouli (Baranti O.P.) P.S. -Rajapakar, District -Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-09-2019 The present application has been filed for cancellation of provisional anticipatory bail, granted to opposite party no. 2, Sanjiv Kumar, being the husband of the petitioner, Veena Kumari on the ground that opposite party no. 2 is ready to keep the complainant, if complainant is ready for resumption of conjugal life.

It appears that opposite party no. 2, being the husband of the petitioner, preferred Cr. Misc. No. 15566 of 2013 with a prayer for anticipatory bail in Complaint Case No. 2585 of 2011, wherein process was directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, pending in the Court of learned SDJM,



Vaishali at Hajipur when this Court vide order dated 09.05.2013 passed in Cr. Misc No. 15566 of 2013 granted provisional anticipatory bail for one year to opposite party no. 2 on the ground of an agreement made between the parties to the effect that they are ready to resume the conjugal life when both sides agreed to appear before the learned Court below on 4th of June, 2013 and opposite party no. 2 was supposed to take the complainant to her matrimonial house to keep her with full dignity and honour. The provisional anticipatory bail was to be confirmed by the learned Court below if the matrimonial harmony is substantially restored or if the complainant deliberately refuses to reside with the petitioner-opposite party no. 2.

It is submitted by learned counsel for the petitioner that the provisional anticipatory bail has not been confirmed. The opposite party no. 2 preferred Cr. Misc. No. 9469 of 2014 for quashing the order dated 10.07.2012, whereby process has been directed to be issued after cognizance being taken against the petitioner which has been dismissed for default.

Considering the fact that the period of provisional anticipatory bail granted to opposite party no. 2 got lapsed on 08.05.2014, the present application for cancellation of bail has



been registered on 22.02.2017 and opposite party no. 2 is no longer on bail, this Court is not inclined to interfere.

Accordingly, this application is dismissed.

(Dinesh Kumar Singh, J)

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