

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25117 of 2017

In
CRIMINAL MISCELLANEOUS No.18732 of 2016

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Veer Vikram Kumar Son of Nunu Lal Sah, resident of Village- Sohma, P.S. Bithan, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Rashmi Priyadarshini, Wife of Veer Vikram Kumar, Daughter of Sri Mukesh Kumar, resident of Village- Sohma, P.S. Bithan, District- Samastipur, at present residing at Mohalla Mill Road, PS Sadar Khagaria, District Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Uma Shankar Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

12 16-10-2019 The present application has been filed for modification of order dated 02.05.2016 passed in Cr. Misc. No. 18732 of 2016 to the extent of confirmation of the provisional anticipatory bail granted to the petitioner Veer Vikram Kumar.

The petitioner, being the husband of the complainant-opposite party no.2 preferred Cr. Misc. No. 18732 of 2016 with a prayer for anticipatory bail in connection with Complaint Case No. 1058C of 2015, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, pending in the Court of learned Sub-



divisional Judicial Magistrate, Khagaria.

On the basis of submission being made and the statement made in paragraph 9 of the main petition to the effect that the petitioner is ready to keep the complainant-opposite party no. 2 with dignity and honour and the same being accepted by opposite party no. 2, the petitioner was granted provisional anticipatory bail for one year. The provisional anticipatory bail was to be confirmed by the learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant gets reluctant to reconcile the issue.

I.A. No. 02 of 2019 has been preferred for amendment of the prayer to the extent for quashing the order dated 12.06.2017 passed by learned SDJM, Khagaria in Complaint Case No. 1058C of 2015, whereby the petitioner's application dated 12.06.2017 for confirmation of provisional anticipatory bail has been dismissed.

It is submitted by learned counsels for the petitioner and complainant-opposite party no.2 that the issue has been resolved between the parties and they have filed a joint petition to the effect that they have resolved the issue to the extent that



the petitioner is ready to take the opposite party no. 2 to his place of posting as he is posted as Assistant Station Master at Solapur, Maharashtra. Relevant paragraph nos. 3 and 4 of the joint petition read as follows:-

“3. That it is stated that during the pendency of this application, due to intervention of well-wishers good sense has prevailed between the parties, and both of us have now resolved our dispute.

4. That both the parties have arrived at consensus to finally settle their dispute and petitioner is ready to keep the opposite party Smt. Rashmi Priyadarshni and son at the place of the posting of the petitioner.”

The petitioner and the complainant are present in the Court and they admit the fact that the issue has been resolved between them.

Considering the present stand of the parties, the order dated 12.06.2017 passed by learned SDJM, Khagaria in Complaint Case No. 1058C of 2015 is quashed.

Accordingly, I.A. No. 02 of 2019 stands disposed of.

Considering the aforesaid facts, the period of provisional anticipatory bail of the petitioner is extended till 30th of January, 2020, which will be confirmed by the learned Court



below on filing of joint petition by petitioner and opposite party
no. 2 to the effect that they have resolved the issue on
resumption of conjugal life.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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