

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36314 of 2018

In
CRIMINAL MISCELLANEOUS No.48918 of 2014

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

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Pappu Kumar Bind @ Pappu Bind son of Gupul Bind, resident of village Sijhua, P.S. Sonhan, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kashmira Devi, Wife of Pappu Kumar Bind @ Pappu Bind, resident of Village Sijhua, P.S. Sonhan, District Kaimur at Bhabua, at present resident of Village Mahuari, P.S. Sonhan, District Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr.Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2019 Heard learned counsels for the parties.

The present application has been filed for modification of the order dated 27.4.2015 passed in Cr. Misc. No.48918 of 2014 whereby the petitioner, being the husband of the complainant in a complaint case wherein process was directed to be issued after cognizance being taken for the offence punishable under Section 498A of the IPC, was granted anticipatory bail for one year on the submission that the petitioner is ready to keep the complainant as wife with full dignity and honour. The petitioner was supposed to take the complainant to keep



her as wife on issuance of notice by the learned court below. The provisional 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 deliberately gets reluctant to reconcile the issue.

Since the petitioner could not furnish bail bonds in stipulated time, hence the present application has been filed for modification.

Considering the fact that the provisional bail was granted on 27.4.2015 with a liberty to the petitioner to furnish bail bonds within twelve weeks from that day and the provisional bail got lapsed on 26.4.2016 but the present application has been filed on 21.6.2018, this Court is not inclined to interfere in the matter.

However, keeping in view the submission of learned counsel for the petitioner that the petitioner is still ready to keep the O.P. No. 2 as wife with full dignity and honour, let the learned court below consider the prayer of the petitioner for regular bail in case the petitioner surrenders within six weeks in connection with Complaint Case no.



663 of 2013 pending in the Court of the learned CJM,
Kaimur at Bhabua.

This application is accordingly disposed of.

(Dinesh Kumar Singh, J)

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