

Gaurishankar Singh Vs. the State of Bihar and anr

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Court : Patna

Decided On : May-25-2012

Appellant : Gaurishankar Singh

Respondent : The State of Bihar and anr

Judgement :

Patna High Court Cr.Misc. No.742 of 2012 (2) dt.25-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.742 of 2012

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Gaurishankar Singh Petitioner. Versus The State Of Bihar & Anr
Opposite Party.

===== CORAM:
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH ORAL ORDER (Per:
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

25. 01-2012 Heard learned counsels for the petitioner and the State. The present application has been filed for modification of order dated 16.05.2011 passed in Cr. Misc. No. 14478 of 2011 whereby the petitioner was granted provisional anticipatory bail in a case registered for the offence under Sections 341, 323, 504, 379, 494, 498A of the I.P.C. and of the D. P. Act. Learned court below was to confirm the provisional anticipatory bail of the petitioner within a period of six months after issuance of notice to the complainant and if the complainant files an undertaking that she wants to reside with the petitioner in India and then the petitioner was supposed take the complainant to her matrimonial house to keep

her as wife with full dignity and honour or if the complainant Patna High Court Cr.Misc. No.742 of 2012 (2) dt.25-01-2012 deliberately refuses to reside with the petitioner or does not come from Nepal for resumption of conjugal life. It appears that notices were issued to the complainant on 25.05.2011 but from the order of the learned court below dated 30.11.2011 it appears that till 30.11.2011 the complainant failed to appear. In the circumstances, the provisional anticipatory bail of the petitioner is hereby confirmed in Complaint Case No. 152C of 2010 pending in the court of the learned S.D.J.M. Supaul. The modification application is hereby allowed. Let the order be communicated through fax to the learned court below at the cost of the petitioner. (Dinesh Kumar Singh, J.) U.K./-

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