

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50482 of 2015**

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Md. Kalamuddin Son of Daroga Miya resident of village - Katsa, P.S. Baniyapur, District - Saran

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Subetara Khatoon Wife of Md. Kalamuddin, Daughter of Sheikh Anwar Hussain resident of village - Katsa, P.S. Baniyapur, District - Saran, Presently residing at village - Andharbari, P.S. Taraiyan, District - Saran

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Anil Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 16-12-2015

The present application has been filed for modification of order dated 06.08.2015 passed in Cr. Misc. No. 48444 of 2014 to the extent that the petitioner's date of appearance be extended.

The petitioner being the husband of the complainant was granted provisional anticipatory bail in connection with Complaint Case No. 1837 of 2013 pending in the court of learned Sub-divisional Judicial Magistrate, Saran at Chpara on readiness of the petitioner that he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:- "That petitioner being the husband is always

ready to keep the complainant with full honour and dignity” when both sides were agreed to appear before the learned court below on 24.08.2015.

It is submitted by learned counsel for the petitioner that due to some communication gap the petitioner could not appear but he is still ready to keep the complainant as wife with full dignity and honour.

Let petitioner and opposite party no. 2 appear learned court below on 5<sup>th</sup> January, 2016. It is expected from the petitioner to serve a copy of this order to opposite party no. 2 with a request to appear when the petitioner will take the complainant to keep her as wife with full dignity and honour. It is made clear that only the date of appearance has been modified and the rest portion of order dated 06.08.2015 still operative.

The order dated 06.08.2015 stands modified to the extent indicated above.

Accordingly, this modification application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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