

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 32810 of 2015

Arising out of P.S. Case No. -136 Year- 2010 Thana -GAYA
COMPLAINT CASE District- GAYA

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Neelam Devi, W/o Late Jainath Prasad Singh, Village-Chogaon,
Post-Lodh, District-Sirdala, District-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Jai Ram Singh, S/o Late Visheshwar Singh, R/o Mohalla Ramna,
Town-Gaya, Post Office-GPO, Gaya, P.S.-Civil Lines, District-
Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indradeo Prasad, Adv.

For the Opposite Party/s: Mr. Pradeep Nr. Kumar, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-07-2015

The Petitioner seeks quashing of the order dated
30.04.2015 passed by the Additional Sessions Judge-XI,
Gaya in Cr. Rev. No. 06 of 2014/122 of 2013 by which it
has confirmed the order dated 20.08.2013 passed by the
Judicial Magistrate, 1st Class, Gaya in Complaint Case
No. 136 of 2010 by which it has refused the prayer of the
Petitioner under Section 205 Cr.P.C.

It has been submitted that the Petitioner is a
lady and resides at Nawada whereas the case is in Gaya
and it is difficult to travel on each date to Gaya and
attend the Court. However, she undertakes to be present
on the date she summoned by the Court.

In view of such undertaking, the order dated

30.04.2015 passed by the Additional Sessions Judge-XI, Gaya in Cr. Rev. No. 06 of 2014/122 of 2013 by which it has confirmed the order dated 20.08.2013 passed by the Judicial Magistrate, 1st Class, Gaya in Complaint Case No. 136 of 2010 is, hereby, set aside.

The application stands allowed.

However, the Petitioner shall give an undertaking before the Court below that she will appear on the date so fixed by the Court below.

Vikash/-

(Anjana Prakash, J.)

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