

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45342 of 2014

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Punit Kumar @ Pintu Kumar son of Sri Parmanand Singh, resident of Village-Bedna, P.S.-Barh, District-Patna at present A-SS, Arjun Park, Najabgarh, New Delhi-110043

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 06-07-2015

None is appearing on behalf of O.P. No. 2.

The notices were issued to O.P. No. 2 vide order dated 14.01.2015 but in spite of valid service of notice none appeared, as a result the matter was adjourned on 16.04.2015 and 24.04.2015.

The present application has been filed for modification of the order dated 14.10.2014 passed in Cr. Misc. No. 8329 of 2014 to the extent that submission was never made that petitioner intends to resume and continue the matrimonial relationship with the complainant which has been recorded in para 4 of the order and in the second page of the order, in place of Criminal Procedure Code, it has been wrongly recorded as Code of Civil Procedure.

The petitioner was granted anticipatory bail in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable

under Sections 323, 498A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act. The anticipatory bail was granted on submission of the counsel for the petitioner that petitioner intends to resume and continue the matrimonial relationship with the complainant.

In the circumstance, this Court is not inclined to entertain the modification application to the effect that never any such submission was made that petitioner intends to resume and continue the matrimonial relationship with the complainant. So far prayer for modification in the second page of the order is concerned, let in the second page of the order dated 14.10.2014 passed in Cr. Misc. No. 8329 of 2014 be read as 'Criminal Procedure Code' instead of 'Code of Civil Procedure'.

Accordingly the modification application is disposed off.

(Dinesh Kumar Singh, J)

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