

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29265 of 2016

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1. Shiv Kumar Chaudhary Son of Basdeo Chaudhary, resident of Village- Afardih, P.S- Ariari (Mahuli), District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. Kari Devi Wife of Sanjay Kumar, resident of village- Barhama, P.S- Warsaliganj, District- Nawada and D/o.Bodhu Chaudhary, resident of Village- Koshi, P.S.- Roh, District- Nawada.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bharat Lal, Advocate.
For the State : Smt. Reena Sinha (APP)
For the O.P. No.2 : None

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioner and learned counsel for the Opposite Party.

The present application has been filed for modification of the order passed in Cr. Misc. No. 27386 of 2015 dated 22.07.2015 for the offence instituted under Section 498(A) of the Indian Penal Code.

The accusations are of demand of dowry and torture by the accused persons to the complainant.

Vide Cr. Misc. No. 27386 of 2015 dated 22.07.2015, the petitioner was granted anticipatory bail with direction to deposit the amount of Rs. 2000/- in favour of Opposite Party No.2 per month. The petitioner has sought for modification in the

aforesaid order. It is stated that the Opposite Party No.2 has already performed her second marriage and she is residing with her husband. Notices were issued to the Opposite Party No.2. Service report indicates that the Ordinary notice has been received by the Opposite Party No.2 personally. When the case was called out, no one appeared on behalf of the Opposite Party No.2. It appears that after her second marriage, the Opposite Party No.2 has lost her interest in the present litigation.

Considering the facts that the Opposite Party no.2 has already performed her second marriage, the earlier Order dated 22.07.2015 passed in Cr. Misc. No. 27386 of 2015 stands modified, to the extent that the petitioner will not deposit the amount of Rs. 2000/- in the Court below, in favour of the Opposite Party No.2.

With the aforesaid modification, the present application is disposed of.

(Sudhir Singh, J.)

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