

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11597 of 2016

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Shilpi Kumari, daughter of Jawahir Rai, resident of Village- Gorigawan, P.S.-
Parsa, District- Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 16-03-2016

Heard learned counsel for the parties.

The present application has been filed seeking
modification in order dated 03.09.2014 passed in Cr.Misc. No. 15562
of 2014.

Learned counsel for the petitioner submits that by order
of which modification is sought, the petitioner was granted regular
bail with condition that she shall co-operate in the trial and be present
before the court on each and every date, and failure to do so on two
consecutive dates, without sufficient cause, shall lead to cancellation
of her bail bonds. It is submitted that the marriage of the petitioner is
to be solemnized on 20.04.2016 and after marriage she will be
residing with her husband in the matrimonial home which is about 40
Kms. away from the trial court. It is submitted that after the charge
having been framed on 29.07.2014, no witness has been examined till

date and the petitioner is complying with the condition set for her release. It is, thus, submitted that such condition of her appearing on each and every date and failure to do so on two consecutive dates, without sufficient cause, leading to cancellation of her bail bonds, may be modified to the extent that the petitioner shall appear before the court below as and when she shall be called upon without fail.

Learned A.P.P. does not oppose.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the order dated 03.09.2014 passed in Cr. Misc. No 15562 of 2014 stands modified to the extent that the petitioner would appear before the court below on the next date fixed and thereafter she will be allowed to be represented through her lawyer, upon her written undertaking that she shall not object to the trial proceeding in her absence and further that she shall cooperate in the trial and also appear before the Court as and when directed/required.

The rest of the terms and conditions of the said order shall remain unchanged.

The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Sujit/-

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