

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33125 of 2016

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Munna Sah @ Munna Kumar S/o Sudama Sah resident of Village-
Damodarpur, P.S. Malahi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-08-2016

Heard learned counsels for the petitioner
and the State.

The present application has been filed for
modification of order dated 15.03.2016 passed in Cr. Misc. No.
5535 of 2016 to the extent of extending the period of appearance
before the learned court below.

The petitioner being the husband of the
complainant was granted provisional anticipatory bail vide order
dated 15.03.2016 on readiness of petitioner to keep the
complainant as wife with full dignity and honour. Both sides
agreed to appear before the learned court below on 8th of April,
2016 when the petitioner was supposed to take the complainant
to keep her as wife with full dignity and honour.

It is submitted by learned counsel for the petitioner that by inadvertence the petitioner and the complainant appeared in Matrimonial Suit No. 43 of 2013 in spite of Complaint Case No. 2920 of 2013. The certified copy of order dated 08.04.2016 passed in Matrimonial Suit No. 43 of 2013 is produced. Let it be kept on record.

Considering the technical nature of modification, this Court is inclined to extend the date of appearance from 8th April, 2016 to 5th September, 2016.

It is expected from the petitioner to serve a copy of this order upon the complainant and her lawyer appearing before the learned court below in Complaint Case No. 2920 of 2013 within a period of ten days from today when it is expected from the complainant to appear before the learned court below on 5th of September, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Accordingly, the order dated 15.03.2016 passed in Cr. Misc. No. 5535 of 2016 is modified to the extent indicated above and the period of surrender is further extended by three weeks from the date of receipt/production of a copy of this order. The rest conditions in the order will remain the same

Accordingly, this application is disposed of.

Let the order be transmitted to the court of learned Additional Chief Judicial Magistrate, Sadar, Motihari in connection with Complaint Case No. 2920 of 2013.

(Dinesh Kumar Singh, J)

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