

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42599 of 2017

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1. Punita Devi @ Punita Pathak @ Puita wife of Krishna Kant Pathak
2. Krishna Kant Pathak son of Late Sayug Pathak Both R/o Village Mahuayn, P.S. Bajpatti, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017 This application has been filed to modify the order dated 25-07-2017 passed in Cr. Misc. No. 29298 of 2017.

It has been submitted that petitioner No. 2 is an employee at Darzeeling, West Bengal serving as peon in S.M. S.N. Hindi High School and the petitioner No. 1 is his wife and is residing in Darzeeling, West Bengal.

In such circumstances, it will be difficult to remain physically present in the trial court on each and every date. Hence a prayer has been made to modify the condition No. 2 mentioned in the order.

In the facts and circumstances stated above, this modification application is allowed to the extent that the condition No. 2 mentioned in the order dated 25-07-2017 passed in Cr.



Misc. No. 29298 of 2017 is substituted with the condition that the petitioners will be allowed to be represented through their lawyer in the court below u/S 317 of the Cr.P.C., if they could not remain present on each and every date. Petitioners will remain physically present in the trial court as and when, the court passes specific order for their appearance.

Accordingly, this modification application is disposed off.

(Sanjay Priya, J)

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