

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8390 of 2017

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Kunal Singh S/o Arvind Kumar Singh resident of C - 87, Chandralok Colony, Kapurthala, P.S. - Aliganj, District - Lucknow (Uttar Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nalini Gautam W/o Kunal Singh, D/o Mukul Singh resident of village - Sugar Mill Quarter, Madhuban Road, P.S. - Chakia, District - East Champaran (Bihar).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-02-2017

Heard.

The present application has been filed for modification of the order dated 23.11.2016 passed in Criminal Miscellaneous No.50437 of 2016 in connection with Chakia P.S. Case No.91/2015, pending before the learned ACJM, East Champaran at Motihari.

Learned counsel for the petitioner confines his prayer only to the extent that page no.2 of the order inadvertently it has



been submitted that on surrender the petitioner took the informant to the matrimonial house, rather the petitioner appeared before the learned Court below and expressed his willingness to take the informant. Secondly, it has been recorded in the last portion of the order dated 23.11.2016 that the learned court below will pass appropriate order in pursuance to the order dated 19.09.2016 passed in Criminal Miscellaneous No.10541 of 2016 provided the petitioner surrenders within a period of six weeks, though the petitioner was already on provisional anticipatory bail which was subsisting on 23.11.2016.

Under the circumstances, the order dated 23.11.2016 passed in Criminal Miscellaneous No.50437 of 2016 is modified to the extent that the above submission that on surrender the petitioner took the informant to the matrimonial house and on the last page, the condition that the order will be passed by the learned Court below on surrender of the petitioner, are deleted from the order dated 23.11.2016.

It is expected from the learned Court below to pass appropriate order in terms of the order dated 19.09.2016 passed in Criminal Miscellaneous No.10541 of 2016.



Accordingly, the modification application is disposed
of.

Ashwini/- **(Dinesh Kumar Singh, J)**

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