

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17211 of 2018

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1. Beena Devi, wife of Pawan Kumar Maskara
2. Nilu Kumari @ Nilu Kumari Maskara, daughter of Pawan Kumar Maskara
All are residents of village Handi Bazaar, P.S. Raxaul, Distt. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Parvati Sinha, wife of Dr. Shreenath Singh, resident of Block Road, Ward No. 16, Raxaul, P.S. Raxaul, Distt. East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate.

For the Opposite Party/s : Mr. Dhurendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

This application has been filed for modification of condition No. (2) of the order dated 16.01.2018 passed in Cr. Misc. 31992 of 2017.

It is mentioned in paragraph-4 of the modification application that petitioner No. 1 namely, Beena Devi is aged about 60 years and suffering from several ailment including Arthritis problem. She cannot move freely from one place to another. It is further mentioned that Nilu Kumari @ Nilu Kumari Maskara is married daughter of Pawan Kumar Maskara. She is living with her husband namely, Nitesh Agrawal in Kathmandu, Nepal.



Therefore, it is difficult for her to remain physically present in each and every date.

In view of such, condition No. 2 of the order dated 16.01.2018 passed in Cr. Misc. 31992 of 2017 is modified to the extent that if a petition under Section 317 Cr. P.C. is filed in the court below in the event the petitioners namely, Beena Devi and Nilu Kumari @ Nilu Kumari Maskara are not present, then the court below will consider the same and they will remain physically present as and when required by the court below.

This Modification application stands allowed to the extent indicated above.

Let this order be communicated to the Court of Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in connection with Trial No. 3026 of 2017 arising out of Complaint Case No. C 115 of 2016.

(Sanjay Priya, J)

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