

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70423 of 2018

In
Criminal Miscellaneous No.40531 of 2016

Arising Out of PS. Case No.- Year- Thana- District- Vaishali

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GUDDU KUMAR RAI son of Umesh Rai, resident of Village- Khesarahiya,
P.S. Mahua, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nilam Devi, daughter of Umesh Rai, resident of Village- Arania, P.S. Jandaha,
District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra
For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 The present application has been filed for modification of order dated 24.07.2017 passed in Cr. Misc. No. 40531 of 2016, whereby the petitioner, being the husband of the complainant, was granted anticipatory bail in Complaint Case No. 3048 of 2015, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the IPC and Section 4 of Dowry Prohibition Act, pending in the Court of learned SDJM, Vaishali at Hajipur on the undertaking of the petitioner that he will make payment of Rs.3,000/- per month to the complainant from August, 2017 by depositing the same in the bank account of the



complainant by second week of every succeeding month.

It is submitted by learned counsel for the petitioner that the complainant has performed second marriage and hence, the petitioner may be permitted not to make any payment.

This Court is of the view that whether the complainant has performed marriage or not cannot be decided in the present proceeding.

Hence, let the petitioner take proper step before the learned Court below.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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