

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13972 of 2018

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Md. Sajjad S/o Md. Shoaib, R/o Mohalla Chandrapura, Simla Colony, P.S.-
 Chandrapura, District- Bokaro (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Zinat Amrin D/o Salauddin, R/o Mohalla- Haji Mohalla Jogwani, P.S.-
 Jogwani, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-03-2018

The present application has been filed for modification of the order dated 05.04.2016 passed in Cr. Misc. No. 32214 of 2015.

The petitioner being the husband of the informant was granted anticipatory bail in Araria (Mahila) P.S. Case No. 39 of 2014 registered for the offences punishable under Sections 498A, 307, 341, 323 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, pending in the Court of learned Sub-divisional Judicial Magistrate, Araria. One of the undertakings of the petitioner was that he will appear regularly in the maintenance proceeding which was incorporated in the bail order dated 05.04.2016.



It is submitted by learned counsel for the petitioner that the petitioner is employed in Saudi Arab and it is difficult for him to appear regularly. Hence, the undertaking of regular appearance should be expunged as the undertaking of the petitioner incorporated in the bail order. However, petitioner is regularly making payment of Rs.3,000/- per month from May, 2016 to the informant by depositing the same in her account by second week of every month.

In the circumstances, the order dated 05.04.2016 passed in Cr. Misc. No. 32214 of 2015 is modified to the extent that instead of petitioner appearing regularly in the maintenance proceeding, the informant will be at liberty to file application for cancellation of bail of the petitioner, if the petitioner defaults for three consecutive occasions in the maintenance proceeding.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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