

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52696 of 2018

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Chamkila Khatoon @ Rehana Begam, wife of Haji Anwar Ali, Resident of Village- Bhapura via Bharwara, Panchayat Bhawanipur, P.S.- Singwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajiya Khatoon, wife of Irfanul Haque, Daughter of Late Rafi Ahmad, Resident of Mohalla- Nabab Road, Chandwara, P.S.- Nagar, District- Muzaffarpur, at present Mohalla- Magardahighat, Ward No. 18, P.S. Nagar, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Binod Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for modification of condition No. (ii) of the order dated 11.07.2018 passed by this Court in Cr. Misc. 34882 of 2018.

Counsel for the petitioner submits that petitioner is living with her husband in Delhi. It will be difficult for her to be present on each and every date in terms of the condition No. (ii) of the order dated 11.07.2018 passed in Cr. Misc. 34882 of 2018.

In view of such, condition No. (ii) of the order dated 11.07.2018 passed in Cr. Misc. 34882 of 2018 is modified to the extent that if a petition under Section 317 Cr. P.C. is filed in the



court below, the court below will consider the same in accordance with law. The petitioner 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, Samastipur, in connection with Complaint Case No. 1393 of 2017.

(Sanjay Priya, J)

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