

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19302 of 2017

In
CRIMINAL MISCELLANEOUS No.12531 of 2016

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Shubh Kirti

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-07-2019 Heard learned counsels for the parties.

The present application has been filed for modification of the order dated 26.9.2016 passed in Cr. Misc. No.12531 of 2016 to the extent of modifying the condition incorporated in the order whereby the petitioner undertook to allow the informant to reside in the house of the petitioner situated in Ara twon.

The factual matrix of the case is that the petitioner being husband of the informant in a case registered for the offences punishable under Sections 323, 498A/34 of the IPC and Sections 3 and 4 of Dowry Prohibition Act, preferred Cr. Misc. No. 12531 of 2016 with a prayer for anticipatory bail and was granted anticipatory bail on the readiness of the petitioner to make payment of Rs.5000/- to the informant from November,



2016 and on further undertaking that the petitioner will allow the informant to reside in the house of the petitioner situated in Ara town.

It is submitted by learned counsel for the informant that after grant of anticipatory bail, the petitioner sold the house situated in Ara town and it is clear violation of the undertaking given before this Court.

Learned counsel for the petitioner submits that the petitioner was compelled to sell the house to repay the loan.

Considering the fact that the condition was incorporated in the order on the undertaking made on behalf of the petitioner, this Court is not inclined to interfere.

This application is, accordingly, dismissed.

However, it will be open to the petitioner to make an alternative arrangement for residence of the informant with her consent.

(Dinesh Kumar Singh, J)

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