

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51940 of 2019

In
CRIMINAL MISCELLANEOUS No.61614 of 2017

Arising Out of PS. Case No.-224 Year-2014 Thana- BENIPATTI District- Madhubani

1. RAVI SHANKAR JHA
2. Bhavi Jha @ Bhavendra Kumar Jha
Both Sons of Late Suresh Jha Resident of Village- Gaibipur, P.S.-
Benipatti, District- Madhubani.
3. Rajeev Jha, Son of Late Vishwanath Jha, Resident of Village- Gaibipur, P.S.-
Benipatti, District- Madhubani.
4. Madhu Kant Jha @ Madhukant Chaudhary @ Mod Narayan Chaudhary, S/O
not known Resident of Village- Jhitki, P.S.- Khirhar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anju Jha

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-08-2019 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 29.3.2018 passed in Cr.
Misc. 61614 of 2017.

It is mentioned in paragraph-9 of the modification
application that petitioner Nos. 1 and 2 are living in Mumbai
and petitioner No. 3 are living in Delhi to earn their livelihood.

Counsel for the petitioners submits that petitioners are
residing at far away place from Madhubani to earn their



livelihood as also for maintaining their family and imparting education to their children. Therefore, it is very difficult for them to remain physically present in court on each and every date.

In view of such, condition No. 2 of the order dated 29.3.2018 passed in Cr. Misc. 61614 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 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 Chief Judicial Magistrate, Madhubani, in connection with Benipatti P.S. Case No. 224 of 2014.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

