

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8677 of 2019

In
CRIMINAL MISCELLANEOUS No.7241 of 2014
Arising Out of PS. Case No.- Year-0 Thana- District- Patna

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Anish Kumar @ Babloo Singh Son of Dhaneshwar Prasad Sinha @ Laddu Singh Resident of Village - Rupaspur, P.S.- Rupaspur, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanoj Devi Wife of Anish Kumar @ Babloo Daughter of Suresh Sinha Resident of Village - Rupaspur, P.S. - Rupaspur, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mrs.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 29-01-2020 The present application has been filed for modification of order dated 18.10.2016 passed in Cr. Misc. No. 7241 of 2014, whereby petitioner was granted provisional anticipatory bail in connection with Rupaspur P.S. Case No. 135 of 2012 registered for the offences punishable under Sections 341, 323, 327, 498A and 504/34 of the Indian Penal Code on payment of one time settlement amount of Rs. Two crores and transfer of two katha of residential land within Patna urban area. However, terms of the agreement were not complied and the present modification application has been filed for directing the informant to reside with the petitioner.

However, during the pendency of the modification application in terms of the earlier order petitioner handed over



two cheques of Rs.Five lakh each in favour of the opposite party no. 2 as gets reflected from the order dated 25.09.2019 and the matter was adjourned for 16th October, 2019 when learned counsel for the petitioner was to file an affidavit with regard to time frame in which entire undertaken money was to be paid to opposite party no. 2. However, a draft of Rs.Five lakh was handed over to the learned counsel for opposite party no. 2 which is incorporated in order dated 23.10.2019 and again, learned counsel for the petitioner was permitted to file affidavit in terms of order dated 25.09.2019. The order dated 22.01.2020 reflects that none appeared on behalf of the petitioner. Today learned counsel for the petitioner submits that he has no instruction with regard to the payment.

Learned counsel for opposite party no. 2 submits that all the cheques given by the petitioner after filing of the present modification application got dishonoured.

In the circumstances, this application is dismissed.

It is made clear that no further modification application will be entertained.

(Dinesh Kumar Singh, J)

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