

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84198 of 2019

In
CRIMINAL MISCELLANEOUS No.21070 of 2019

Arising Out of PS. Case No.-751 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Amitabh Kamal S/o Mr. Ashok Kumar Resident of Flat No. 204, Alakh Kamla Kutir Apartment, Road No. 11, Rajendra Nagar, P.S.- Kadam Kuan, District- Patna, at present posted as Director in Vita Biotic Iodent of 000- Vita Biotech- Proektirumeye Proczp. No., 4062, Office No. 27, Moscow 115432, Russia.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sachitanand Thakur Son of Late Ram Ahlad Thakur Resident of Mohalla- Mohanpur Kashipur, Ward No. 13, P.S.- Nagar, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2020 The present application has been filed for

modification of order dated 18.09.2019 passed in Cr. Misc. No. 21070 of 2019, whereby the petitioner was granted anticipatory bail in connection with Complaint Case No. 751 of 2018, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code, Section 4 of Dowry Prohibition Act and Sections 3/4 of Prevention of Witch (Daain) Practices Act, 1999, pending in the Court of learned SDJM, Samastipur.

Learned counsel for the petitioner confines his prayer



only to the extent that the daughter of the complainant was given liberty to file an application for cancellation of bail of the petitioner if the petitioner fails to appear regularly in any matrimonial, maintenance or collateral proceeding connected with the issue involved in the present case.

It is submitted by learned counsel for the petitioner that the petitioner works in Russia and hence, it is not possible to him to appear regularly before the learned Court below.

It appears that the daughter of the complainant has not filed any application for cancellation of bail of the petitioner, hence, the present modification application appears to be premature. However, when such application is filed it is expected from the concerned Court to consider the fact that the petitioner is working outside the country.

Accordingly, the present modification application is disposed of with the observation mentioned above.

(Dinesh Kumar Singh, J)

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