

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26505 of 2022

In
CRIMINAL MISCELLANEOUS No.29718 of 2017

Arising Out of PS. Case No.-53 Year-2017 Thana- KUDHNI District- Muzaffarpur

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KAVITA KUMARI @ KAVITA DEVI Wife of Mukesh Kumar Sah Daughter
of Vinod Sah, R/o village - Chhitrauli, P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-07-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
Addl.P.P. for the State through video conferencing.

In Cr. Misc. No. 29718 of 2017 vide order dated
07.07.2017, the petitioner was granted anticipatory bail and one of
the conditions was that the petitioner shall be present at each and
every date fixed by the court below and absence on two consecutive
dates without proper reasonable reason will automatically cancel bail
bond of the petitioner.

Learned counsel for the petitioner has submitted that as
per direction of this Court the petitioner was continuously appearing
before the court below. The charges were framed two years ago.



Despite the summons have been issued not a single witness has been examined. The appearance of the petitioner before the trial court on each and every date becomes futile as the witnesses are not appearing.

Learned counsel for the petitioner makes a prayer to relax the above-mentioned condition.

Considering the fact that charges have already been framed and despite issuance of summons not a single witness has been examined till now, the above-mentioned condition is relaxed to the extent that as and when required by the court below, the petitioner shall appear physically.

With these observations, the modification petition is disposed of.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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