

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17560 of 2015

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Mukesh Kumar Sinha Son of Late Awadhesh Chandra Prasad Resident of
Mohalla - Kamruddinganj, P.S. Laheri, P.O. Biharsharif, District - Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. Sangita wife of Mukesh Kumar Sinha, D/o Late Shashi Shekhar Prasad,
resident of Mohalla C/o Shailesh Kumar, Ajad Nagar, Near Ara
Machine, Jumphar Point Lane, Kankarbagh, Patna - 800020.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

6 21-07-2015 Heard learned counsel for the petitioner as well as

learned counsel for opposite party no. 2 along with learned

Additional Public Prosecutor.

The petitioner has challenged order dated 8.1.2015
passed by the Additional Principal Judge, Family Court, Patna in
Maintenance Case No. 189 M/2011 whereby and whereunder the
learned lower Court had directed to pay Rs.4000/- (Rs.3000/- for
wife and Rs.1000/- for son) as an ad interim maintenance along
with Rs.4000/-, a lump sum to meet litigation costs.

At the present moment, the Bench intended to know
about as to whether the petitioner is going to clear the arrear which
has not found favour at the end of learned counsel for the

petitioner.

Learned counsel for the petitioner submits that the petitioner is a typist at Civil Court. It has also been submitted that in a proceeding under Section 498 A IPC, applicant/his wife Sangeeta had herself disclosed that she happens to be teacher earning Rs.3000/-. So, the order passed by the learned lower Court is fit to be interfered with.

Learned counsel representing the opposite party no. 2 opposed the same.

Ad interim maintenance is always subject to variations and that being so, the petitioner will have a plea before the learned lower Court at that very score in case, duly substantiated.

With the aforesaid observation, the instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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