

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17383 of 2016

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Md. Ahsanul Haque Ansari, Son of Md. Mobin Ansari, resident of Village-
Dhrhara Ansari Tola Makhnaha, Police Station- Banmankhi in the district
of Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Balkish Khatoon, D/o- Late Md. Usman Ansari, R/o- Durgapur Paschim
Tola, P.S. & Distt.- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Raj Kumar

For the Opposite Parties : Mr. Arun Kumar Singh-5(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-04-2016 Heard learned counsel for the petitioner and learned
APP for the State

Petitioner seeks modification of the order dated
11.12.2013 stating therein that the interim maintenance of Rs.
1000/- could not be paid monthly from the date of order hence
seeks time for extending the period of surrender before the learned
court below. He submits that on 02.02.2016 he has deposited Rs.
26,000/- as entire payment of interim maintenance up to the
aforesaid date beginning from 11.12.2013 and is ready to file an
affidavit duly verified and supported personally and is ready to
make regular monthly payment of interim maintenance on such
undertaking given earlier.

However, learned APP for the State submits that since the petitioner has defaulted in making payment thus not honouring the order of this Court dated 11.12.2013 passed in Cr. Misc. No. 22194 of 2013 such prayer should not be acceded to.

Be that as it may, on the undertaking that the petitioner will file an undertaking duly and personally sworn by him to make payment of interim maintenance, @ Rs. 1000/- monthly, let the period of surrender be extended by further eight weeks from today and in the event of his arrest or surrender within the aforesaid period, the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 294 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

Rajiv/-

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