

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17660 of 2017

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Sanjay Vikram Shah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1, Adv.

For the State : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner and learned
APP for the State.

This is an application filed for modification of the order dated 03.10.2016, passed in Cr. Misc. No. 29263/2016 for extending the period of surrender.

The basic accusation is of torture after 34 years of marriage.

The petitioner being the husband of the complainant was granted anticipatory bail in connection with Complaint Case No.1393C/2015 wherein process has been directed to be issued after cognizance being taken for the offences punishable under section 498A of IPC on submission of the petitioner that he will make payment of Rs. 2,500/- per month to the complainant from November, 2016 by depositing the same in her bank account by second week of every succeeding month. The offer of the petitioner



was accepted by the complainant and hence, the dispute got resolved.

It is submitted by the learned counsel for the petitioner that the petitioner could not furnish the bail bond within stipulated period due to his old age illness and consequently also could not deposit the maintenance amount of Rs.2500/- per month. However, the petitioner is still ready to make payment of Rs.2500/- per month to the complainant by depositing the same in her bank account by second week of every succeeding month. The petitioner further undertakes to make payment of the entire arrear amount calculated @ Rs.2500/- per month from November, 2016 within a period of three weeks, if the complainant submits her Bank account number before the learned court below.

Learned counsel for the complainant submits that the petitioner did not deposit the amount as undertaken by him. However, she is still ready to accept the payment. However, the complainant undertakes to submit her Bank account number on affidavit within a period of two weeks.

In view of the present stand of the petitioner and the complainant, the period of surrender is extended by three weeks in connection with Complaint Case No.1393C of 2015, pending before the learned Chief Judicial Magistrate, West Champaran at Bettiah. The bail bond of the petitioner will be accepted on filing of proof with regard to deposit of arrear of



entire maintenance amount.

Accordingly, the order dated 03.10.2016 is modified to the extent as indicated above.

Rest of the conditions as stipulated in the order dated 03.10.2016 will remain the same.

The modification application is disposed of.

(Dinesh Kumar Singh, J.)

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