

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32585 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Madhubani

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Basuki Nath Mandal S/o Liladhar Mandal R/o Village-Bhutaha, P.S.-Laukahi,
District-Madhubani,

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari D/o Tej Narayan Mandal, R/o Village- Bagewa, P.S.-
Andharamath, District-Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the State : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-11-2017 The petitioner seeks modification of the order dated 21.07.2015 passed by this Court in Cr.Misc.No.27160 of 2015, by which the petitioner was granted anticipatory bail in connection with Laukahi P.S. case No.112 of 2014 pending in the court of Judicial Magistrate, 1st class, Madhubani with the condition that the petitioner shall deposit an amount of Rs.1500/- per month in the court below, which shall be released in favour of the opposite party No.2. In compliance of the said order, the petitioner had been depositing the said amount in the court below.

It has been submitted on behalf of the petitioner that it is evident from Annexure P/4 certificate issued by the Sarpanch of the respective Gram Panchayats stating that the victim has



already performed second marriage with one Rajesh Kumar Mandal son of Raj Kumar Mandal, resident of village Karharwa, P.O. Kumyahi, P.S. Triveniganj, District Supaul. Hence, after the second marriage, the opposite party No.2 is not entitled for maintenance by the petitioner, under the law.

Considering the submissions made on behalf of the petitioner, the order dated 21.07.2015 passed in Cr.Misc.No.27160 of 2015 is modified to the extent as indicated below.

The petitioner shall not deposit an amount of Rs.1500/- per month in the court below, which is to be released in favour of the opposite party No.2.

With the aforesaid modification, the application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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