

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17460 of 2017

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Rajiv Kumar, Son of Yogender Singh, Resident of Village – Siswaniya, P.S.
– Lauriya, District – West Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. Ramashish Prasad, Son of Late Shiv Nandan Prasad, Resident of Village
– Dhabahi, P.S. – Harsidhi, District – East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Gauri Shankar Thakur, Advocate.

For the Opposite Parties : Mr. Arun Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-05-2017 Heard both sides.

The petitioner filed this petition for modification of the order dated 10.02.2014 by which he was granted provisional bail on the condition of payment of Rs. 750/- per month to his wife vide order passed in Cr. Misc. No. 42743 of 2013.

Learned counsel for the petitioner submits that the petitioner was depositing Rs. 750/- per month in the account of his wife but, his wife died on 11.12.2015. Thereafter, he filed a petition before the court below that he may be exempted from depositing the Rs. 750/- per month to his wife, as his wife has already expired on 11.12.2015, but the court below refused to exempt the petitioner only because the order was passed by the High Court.

Considering the facts aforesaid and the fact that wife of



the petitioner has already died, the petitioner above named is exempted from depositing Rs. 750/- per month in the name of his wife as maintenance.

Accordingly, the order dated 10.02.2014 passed in Cr. Misc. No. 42743 of 2013 is modified to the extent indicated above.

(Prabhat Kumar Jha, J.)

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