

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30388 of 2017

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Kishore Sah @ Raj Kishor Sah, Son of Late Ramdeo Sah, resident of
Village- Basauna, Police Station- Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vimla Devi, D/o Raghurib Sah, resident of Village- Sahuriya East,
P.S.- Sour Bazar, District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 09-03-2018

The petitioner seeks modification of the order dated 09.08.2011 passed by a Bench of this Court in Cr. Misc. No. 23569 of 2011 whereby the petitioner was directed to make payment of Rs. 500/- per month to opposite party No. 2 and on such condition, he was granted anticipatory bail.

Learned counsel for the petitioner has submitted that till date the money was regularly been paid but now the situation has changed and the opposite party No. 2 has remarried and is living married life with her husband. Under such circumstances, it has been urged that the order dated 09.08.2011 be modified to the extent that he be not asked to pay Rs. 500/- per month to opposite party No. 2. That apart, learned counsel for the petitioner has made grievance against the aforesaid order on the



ground that this order was passed in an indefinite term without indicating as to whether this requirement to pay monthly maintenance to opposite party No. 2 shall terminate.

Mr. Amarnath Jha, learned counsel who had earlier also appeared on behalf of opposite party No. 2 has submitted that despite his best efforts, he could not connect with opposite party No. 2.

This Court is left with no option but to modify the order dated 09.08.2011 passed by a coordinate Bench of this Court in Cr. Misc. No. 23569 of 2011 to the extent that now the petitioner would not be under an obligation to pay an amount of Rs. 500/- per month to opposite party No. 2.

The order dated 09.08.2011 passed in Cr. Misc. No. 23569 of 2011 is modified to the extent as indicated above.

(Ashutosh Kumar, J)

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