

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34707 of 2018

In
Criminal Revision No.327 of 2015

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

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1. Sunita Srivastava, W/o Kameshwar Prasad, daughter of Mahesh Prasad Verma, Resident of Dumra, Ward No. 7, Police Station- Dumra, District- Sitamarhi.
 2. Aman Kumar, Minor S/o Kameshwar Prasad.
 3. Kumari Muskan, Minor Daughter of Kameshwar Prasad under natural Guardian of their mother Sunita Srivastava, Resident of Dumra, Ward No. 7, Police Station- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kameshwar Prasad, son of late Kedar Lal, Resident of Village- Mushachak, Police Station Bairganiya, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur
For the Opposite Party/s	:	Mr. Sri Arbind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 12-12-2018 The present petition has been filed on behalf of opposite party no. 2 for modification of the order dated 05.03.2018 wherein it has been recorded that opposite party no. 3 had become a major from 20.08.2016. This statement in the order obviously has been made on the representation of the petitioner. Today, an age certificate of the opposite party no. 3 has been brought on record indicating that he would become major only in the month of December, 2018. Because of recording of the date of the majority of the opposite party no. 3 from 20.08.2016, the petitioner was held to be not required



to pay any maintenance to him. The aforesaid order was passed on 05.03.2018.

Learned counsel appearing for the petitioners, therefore, taking the line of least resistance has submitted that since opposite party no. 3 is none else but his own son, he would pay an amount of Rs. 5000/- in all which would be towards the entire payment as far as opposite party no. 3 is concerned till his attaining majority in the month of December, 2018.

The aforesaid offer has been accepted by the learned counsel for the petitioners. He has submitted that if Rs. 5000/- is paid within a period of two months, the opposite party no. 2 will not pray for any recall or modification of the order dated 05.03.2018.

The petitioner is directed to pay an amount of Rs. 5000/- within a period of two months to opposite party no. 2 who shall invest that amount only on opposite party no. 3.

With the aforesaid direction, the present petition is disposed off.

(Ashutosh Kumar, J)

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