

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51969 of 2019

In
CRIMINAL MISCELLANEOUS No.1496 of 2015

Arising Out of PS. Case No.-183 Year-2014 Thana- JANDAHA District- Vaishali

Sanjit Soni @ Sanjit Sah @ Sanjeet Kumar Soni @ Sanjeet Sah Thathera Son
of- Lagan Sah @ Lagan Sah Thathera Resident of Village- Dhadhua, P.S.-
Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Basanti Devi Daughter of - Sasan Sah Resident of Mansurchak, P.S.- Samta
Mansurchak, District- Begusarai. At present W/o Jitendra Sah, R/o Village-
Cakansir, P.O.- Sukki, P.S.- Patepur, District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

12 15-09-2020 The Court proceeding has been conducted through
virtual mode.

Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the opposite party no. 2.

The present application has been filed for modification of
order dated 13.04.2015 passed in Cr. Misc. No. 1496 of 2015 to
the extent that the petitioner be exempted from making monthly
payment of Rs.2,000/- to the informant-opposite party no.2.

The petitioner, being the husband of the opposite party
no.2-informant, was granted anticipatory bail in connection with
Jandaha P.S. Case No. 183 of 2014 registered for the offences
punishable under Section 498A of the Indian Penal Code and



Sections 3/4 of Dowry Prohibition Act, on the readiness of the petitioner that he will pay Rs.2,000/- per month from May, 2015 to the informant by depositing the same in her account by second week of every succeeding month. However, the offer was accepted by the informant. The aforesaid payment will be subject to any order being passed in matrimonial, maintenance or other proceeding when liberty was given to the informant to file application for cancellation of bail of the petitioner, if the petitioner defaults in making payment for three consecutive occasions.

It appears that notices were issued to the opposite party no. 2 vide order dated 21.08.2019. Thereafter, the matter was adjourned for 05.02.2020 on the prayer of the learned counsel for the petitioner to enable him to make payment of the monthly amount of Rs.2,000/- to the opposite party no. 2 as stipulated in the order dated 13.04.2015, passed in Cr. Misc. No. 1496 of 2015 till the date of remarriage by opposite party no. 2, i.e., 24.04.2019. Thereafter, the matter was adjourned for 04.03.2020 for compliance of the same, again for 24.07.2020 and thereafter, the matter was adjourned for 26.08.2020 as a last indulgence for filing the affidavit with regard to the payment, but again vide order dated 26.08.2020 on the prayer of the learned counsel for



the petitioner to file fresh supplementary affidavit for full compliance of order dated 05.02.2020 with regard to the payment.

Today, the learned counsel for the petitioner submits that the petitioner is not in a position to make payment of the undertaken amount. In the circumstances, he is not pressing the application and as such, this application is dismissed as not pressed.

(Dinesh Kumar Singh, J)

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