

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43703 of 2021
In
CRIMINAL MISCELLANEOUS No.2508 of 2020

Arising Out of PS. Case No.-2760 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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AMIT KUMAR SINHA S/o YOGENDRA PRASAD SINHA R/o VILLAGE-
BHAN BORAHAN, P.S- JANDAHA, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SRI NILI KUMARI W/o AMIT KUMAR SINHA, D/o ASHOK KUMAR SRIVASTAVA AT PRESENT R/o MOHALLA-RAMBHADRA, POST-HAJIPUR, P.S.-HAJIPUR TOWN, DISTRICT-VAISHALI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has filed the instant application for modification of the order dated 5.3.2020 passed in Cr. Misc. no.2508 of 2020 whereby while granting bail to the petitioner, he was directed to surrender in the learned court below within a period of 6 weeks.

It is submitted by learned counsel for the petitioner that for reasons beyond the control of the petitioner together



with the Covid-19 lockdown, the petitioner could not surrender within the time fixed.

Learned counsel for the O.P. no.2 appears and submits that although on earlier occasion, the petitioner had not complied with the direction to pay to the petitioner the monthly maintenance fixed by the learned court below, however as per instructions received, during pendency of this application, the petitioner has paid the arrears of maintenance. It is lastly submitted that petitioner may be directed to deposit the monthly maintenance directly into the account of opposite party no.2. For this relief, it will be open to opposite party no.2 to move the learned court below where the order of maintenance was passed, for any appropriate direction.

Learned counsel for the petitioner submits that the petitioner shall pay the future maintenance as fixed by the learned court below to the opposite party no.2 on time.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the order dated 5.3.2020 passed in Cr. Misc. no.2508 of 2020 is modified to the extent that the period granted to the petitioner to surrender in the learned court below is extended by a further period of 4 weeks from today.



The modification application stands allowed to the
above extent.

(Partha Sarthy, J)

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