

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50876 of 2021

In
CRIMINAL MISCELLANEOUS No.29536 of 2020

Arising Out of PS. Case No.-1992 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SHILPI SRIVASTAVA Wife of Sri Sameer Kumar Srivastava @ Sameer Srivastava D/o- Sri Subhash Chandra Srivastava, Resident of Mohalla - Block Road, Raxaul, P.S.- Raxaul, District - East Champaran at present Resident of Village - Purani Gudari, Ward No.- 9, P.S.- Betiah, District - West Champaran at Betiah.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sameer Kumar Srivastava @ Sameer Srivastava Son of Sri Lalji Srivastava Resident of Mohalla - Block Road, Raxaul, P.S.- Raxaul, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Singh, Adv.
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-09-2021 Heard Mr. Prabhakar Singh, learned counsel for the

petitioner and learned counsel for the State.

The petitioner has filed the present application for modification of the order dated 12.03.2021 passed by this court in Cr. Misc. No. 29536 of 2020 for enhancement of the maintenance amount.

Learned counsel for the petitioner argued that the amount so fixed as living cost by this court in its order dated 12.03.2021 while granting anticipatory bail to the opposite party – 2 herein was not agreed upon by the petitioner and learned



counsel appearing for the petitioner in the previous case exceeded his instruction and accepted the offer given by the opposite party – 2 herein for payment of a sum of Rs. 6000/- to this petitioner as living cost subject to the final outcome of the maintenance case and / or other cases filed or pending between the parties. Learned counsel next submits that amount of Rs. 6000/- is very meager and the same may be enhanced.

Regard being had to the submissions made by the parties and taking into consideration the fact that the amount towards living cost was fixed by this court while granting anticipatory bail to the husband i.e. opposite party-2 herein on the basis of acceptance of offer by the petitioner, as such, I find no reason to modify the order dated 12.03.2021 passed in Cr. Misc. No. 29536 of 2020.

Accordingly, the present application is rejected.

(Anil Kumar Sinha, J)

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