

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19508 of 2020

In
CRIMINAL MISCELLANEOUS No.21701 of 2011

Arising Out of PS. Case No.-457 Year-2008 Thana- GAYA COMPLAINT CASE District-
Gaya

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BHUNESHWAR RAM @ BHOLA Son of Late Ganesh Ram Residence of
Village - Chakand Tikuli Labra, P.S.- Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR r
2. Smt. Babita Kumari Wife of Bhuneshwar Ram @ Bhola D/o Sri Ram Lagan
Ram, Resident of Village - Bhat Bigha, P.S.- Rampur, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sharma
For the State	:	Mr.Suresh Prasad Singh
For opposite party no.2	:	None

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

9 12-10-2022 Heard the learned counsel for the petitioner as
well as the learned APP for the State.

The present application has been filed for
modification of the order dated 29.03.2012 passed in Cr.Misc.
No. 21701 of 2011 by which the petitioner was granted
anticipatory bail with certain conditions.

Learned counsel for the petitioner has submitted
that the petitioner was granted anticipatory bail, vide order dated
29.03.2012 in Cr.Misc.No. 21701 of 2011. One of the conditions
was that he shall pay maintenance to the victim wife to the tune



of Rs. 1000/- per month till any higher maintenance is decided by the competent court. He has submitted further that opposite party no.2 has solemnized her second marriage secretly on 05.06.2017 in Tridev Sanatan Dharm Prachar Samiti with one Amardeep Singh @ Amandeep Singh, as such, she is not entitled for maintenance. Photographs of opposite party no.2 with her second husband along with a xerox copy of the marriage certificate have been annexed at page 19 of this petition.

Despite repeated calls, none appeared on behalf of opposite party no.2.

Considering the fact that opposite party no.2 has solemnized her second marriage, she is not entitled for maintenance from the petitioner. Accordingly, the order dated 29.03.2012 passed in Cr.Misc. No. 21701 of 2011 is modified to that extent.

With these observations, the application stands disposed of.

(Nawneet Kumar Pandey, J)

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