

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13200 of 2023

In
CRIMINAL MISCELLANEOUS No.28884 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- MAHILA PS District- Aurangabad

SANJAY PRASAD GUPTA Son of Premachand Prasad R/V- Pokhar Par, Shahpur, Ward no. 25, P.S- Aurangabad Town, Dist-Aurangabad (Bihar) (Incorrectly mentioned in F.I.R. as son of Manoj Prasad Gupta, R/V and P.S- Obra, Dist- Aurangabad)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Devi Wife of Sanjay Prasad Gupta R/V- Pokhar Par, Shahpur, Ward no. 25, P.S-Aurangabad Town, Dist- Aurangabad (Bihar) (Incorrectly mentioned in F.I.R as R/V and P.S - Obra, Dist - Aurangabad) daughter of Manoj Kumar @ Munna saw R/V- Obra Durgarath, Sonari P.S-Aurangabad Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aman Vishal, Advocate
		Mrs. Leelawati Kumari, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

In the nature of relief sought for in the present modification application, the Court is not inclined to entertain the same simply for the reason that the petitioner in the earlier round of proceeding had agreed that he will be paying an amount of Rs.25,000/- towards maintenance as stands recorded in the order dated 16.11.2022 in Cr. Misc. No. 28884 of 2022.

Today, a new Lawyer has been engaged by the petitioner and a submission has been made that the petitioner is



now resiling from his stand. If what has been submitted by the learned Lawyer who presently is representing the petitioner is correct then the petitioner ought to have engaged the same Lawyer and thereafter should have filed the present application.

Since the petitioner has changed the Lawyer and thereafter has taken a stand different from what was stated in the earlier round of proceeding based on which the petitioner was granted bail, the Court is not inclined to entertain the modification application.

Accordingly, the modification application is dismissed.

(Satyavrat Verma, J)

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