

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12408 of 2023

In
CRIMINAL MISCELLANEOUS No.49944 of 2022

Arising Out of PS. Case No.-450 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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RANJAN SINGH RESIDENT OF VILLAGE NEW MAINPURA POST
SAGUNA NEAR AAKASH COMMUNITY HALLA SAGUNA PS
DANAPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR RESIDENT OF VILLAGE NEW MAINPURA
POST SAGUNA NEAR AAKASH COMMUNITY HALL SAGUNA PS
DANAPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 16-08-2023 Heard the parties.

The present modification petition has been preferred for a reasonable decrease of the amount (Rs. 20,000/-) which was to be paid to the opposite party no. 2, the wife of the petitioner vide an order dated 17.01.2023.

The contention of the learned Counsel for the petitioner is that he took a car loan of around Rs. 7 lakhs, his salary has drastically reduced and in that background, he is unable to pay Rs. 20,000/- per month.

It is his submission that he will be clearing Rs. 20,000/- as earlier ordered uptill August, 2023. He has already



paid upto June, 2023. The amount due till August, 2023 has to be cleared by 30.08.2023.

To a query, learned Counsel for the opposite party informed that Rs. 11 lakhs which was transferred to the petitioner side has since returned to her/parents.

It is the contention of the opposite party no. 2 that while the petitioner has been able to describe his position, the fact remains that due to the elder daughter-opposite party no. 2 being dragged in this matrimonial problem, the father has got paralytic attack and their family members are also in deep economic problem.

It is his further submission that whatever amount the petitioner agrees to pay, the same be cleared by 10th of every month.

Taking into account the fair submissions put forward by both the learned Counsels, this Court for the present is of the opinion that the amount may be decreased to Rs. 15,000/- per month from September, 2023 which is to be credited in the account of the opposite party no. 2 by the 10th of every month positively.

Failure on the part of the petitioner to clear the amount for two consecutive months, the opposite party no. 2



will be free to take steps for cancellation of his bail bond.

In case of hike in his salary and/or any new development, the opposite party no. 2 shall be free to take steps for enhancement of amount.

This order will merge in any order passed by the Matrimonial Court relating to payment of any amount to the opposite party no. 2.

With the aforesaid observations, the order dated 17.01.2023 in Cr. Misc. No. 49944 of 2022 stands modified.

(Rajiv Roy, J)

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