

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28235 of 2023

In
CRIMINAL MISCELLANEOUS No.44003 of 2022

Arising Out of PS. Case No.-834 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Santosh Kumar Yadav, S/O Prayag Yadav R/O Village- Hanuman Nagar
Bhour, P.S- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi W/O Santosh Kumar Yadav R/O Village- Hanuman Nagar Bhour,
P.S- Pandaul, District- Madhubani, at present Daughter of Shambhu Yadav,
resident of village- Mangarpatti, P.S- Rajnagar, District- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash
For the Opposite Party/s : Ms. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The learned counsel for the petitioner seeks

modification of the order dated 12.12.2022 in Cr. Misc.

No.44003 of 2022 Whereby the anticipatory bail was granted to

the petitioner on the ground that he will be paying an amount

of Rs.6,000/- by way of maintenance to the opposite party and

the child.

It is submitted by the learned counsel for the

petitioner that inadvertently when the anticipatory bail was



taken up, a submission was made that the petitioner and the opposite party no.2 also have a child, but the fact is otherwise, the couple are childless. It is next submitted that opposite party no.2 is working as an Aanganbari Sewika and the maintenance was fixed keeping the child in view.

On query of the Court whether the petitioner in terms of the order passed by this Court is paying maintenance amount to the opposite party no.2 or not, on which the learned counsel for the petitioner submits that the said amount is not being paid and the present modification application has been filed, the Court is not inclined to entertain the modification application.

Accordingly, the modification application is rejected.

(Satyavrat Verma, J)

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