

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44779 of 2023

In
CRIMINAL MISCELLANEOUS No.18490 of 2022

Arising Out of PS. Case No.-322 Year-2020 Thana- BISFI District- Madhubani

MD. MATLAW ALAM @ MATLOOB ALAM @ MD. MATLOOB ALAM
Son of Md. Maksood Ahmad Resident of village - Alinagar, ward no. 1, P.S. -
Lalit Narayan University, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nujhat Sulttan D/o Akhatar Hussain Resident of Parsauni, P.S. - Bisfi Patauna, Distt. - Madhubani
3. Md. Samim Son of Late Md. Ehsan Resident of village - Rajaura, P.S. - Raiyam, Distt. - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2023 Heard learned counsel for the parties.

2. This petition has been filed for modification of order dated 09.11.2022 passed in Cr. Misc. No. 18490 of 2022 whereby petitioner was granted bail on the basis of his undertaking that he is ready to give maintenance amount of Rs. 3500/- (three thousand five hundred) per month to the opposite party No. 2.

3. It is submitted on behalf of the petitioner that during pendency of the case opposite party No. 2 has already solemnized marriage with opposite party No. 3 on 17.02.2023



and she is residing in her new matrimonial house. Hence, petitioner is not required to continue to pay the maintenance amount to the opposite party No. 2, accordingly, he prays for necessary correction in the aforesaid order.

4. Learned A.P.P. for the State opposes the petition and submits that it is a matter to be seen at the stage of trial.

5. In view of the aforesaid facts and circumstances, order dated 09.11.2022 passed in Cr. Misc. No. 18490 of 2022 is not required to be modified. This modification petition is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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