

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38671 of 2023

In
CRIMINAL MISCELLANEOUS No.74287 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- ALINAGAR District- Darbhanga

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ANKESH KUMAR JHA @ SAROJ JHA @ SRI ANKESH KUMAR SON
OF SRI PARMA NAND JHA, RESIDENT OF VILLAGE- NAWANAGAR,
PS- ALI NAGAR, DISTT- DARBHANGA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. KALYANI KUMARI WIFE OF ANKESH KUMAR JHA @@ SAROJ JHA
@ SRI ANKESH KUMAR, RESIDENT OF VILLAGE- NAWANAGAR,
PS- ALI NAGAR, DISTT- DARBHANGA PRESENTLY RESIDENT OF
VILLAGE- POHADDI, PS- BAHERA, DISTT- DARBHANGA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar
For the Opposite Party/s : Mrs.Nirmala Kumari

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

ORAL ORDER

3 16-08-2023 This application has been filed for modification of
order dated 20.03.2023 passed in Cr. Misc. No. 74287 of 2022,
arising out of Alinagar P.S. Case No. 25 of 2021.

2. Heard the learned counsel for the petitioner as well
as the learned counsel for the informant.

3. The petitioner was granted regular bail, vide order
dated 20.03.2023 passed in Cr. Misc. No. 74287 of 2022 on this
assurance at the time of hearing that bail petition that the



learned counsel for both the parties have submitted that the matter has been resolved amicably and the husband has assured to make a payment of Rs.12,000/- per month as maintenance to his children and his wife. He also agreed to construct a house in Benipur for residence of the informant and her children.

4. The learned counsel for the petitioner has submitted that though the petitioner assured the Court to make a payment of Rs.12,000/- as maintenance to his children and his wife, but presently he is not in a position to make a payment such huge amount per month, it is nothing but withdrawal of earlier assurance given by the petitioner.

5. The learned counsel for the informant has submitted that the petitioner is enjoying after solemnization of his second marriage and he retracted from his assurance given in the Court. The informant and her children are at the verge of starvation.

6. Considering the above-mentioned facts and circumstances, his bail bonds is directed to be cancelled and he is directed to be taken into custody.

7. Accordingly this modification application is dismissed.

8. The learned court below is directed to send a report



in respect of compliance of the order within three weeks.

9. List the matter after three weeks.

(Nawneet Kumar Pandey, J)

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