

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52010 of 2023

In
CRIMINAL MISCELLANEOUS No.69261 of 2021

Arising Out of PS. Case No.-56 Year-2019 Thana- MAHILA PS District- Aurangabad

MD. RIZWAN ALAM @ RIZWAN ALAM S/O MUMTAZ SHAH R/O
VILLAGE- BISHUNPUR, PS.- GODARI (KARAKAT), DISTT.- ROHTAS.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SANIYA PRAVEEN D/O MD. ISLAM SAH R/O MOHALLA- AZMER
NAGAR ROAD, WARD NO. 20, PS. -AURANGABAD TOWN, DISTT.-
AURANGABAD.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 16-08-2023 1. The present petition has been filed for modifying the order dated 22.05.2023 passed in Criminal Misc. No. 69261 of 2021 to the extent of extending the time granted to the petitioner to make payment of a sum of Rs. 1,94,000/- along with outstanding amount of maintenance as on 01.08.2023 by a further period of eight weeks from today.
2. The learned counsel for the petitioner has submitted that while the petitioner has been mobilizing his resources for the purposes of paying



the aforesaid amount to his wife, by way of maintenance, the time period fixed by this Court for making payment of the same has lapsed, hence a sympathetic view be taken and the time granted to the petitioner to make payment of maintenance amount to his wife, be extended so that he can positively pay the up to date outstanding amount of maintenance to his wife. It is further submitted that in case the petitioner is not able to pay the up to date outstanding amount of maintenance as on 01.08.2023, within a period of eight weeks from today, the petitioner undertakes to surrender before the learned Court of S.D.J.M., Aurangabad in connection with Aurangabad Mahila P.S. Case No. 56 of 2019, immediately upon expiry of the said period of eight weeks from today.

3. Having regard to the facts and circumstances of the case, considering the averments made in the present petition and taking into account the submissions made by the learned counsel for the petitioner, though I deem it fit and proper to extend the time period, for paying



the amount of maintenance, outstanding as on 01.08.2023, by a further period of eight weeks from today, however, I deem it fit and appropriate to direct that in case the up to date outstanding amount of maintenance as on 01.08.2023 is not paid on or before 16.10.2023, the petitioner shall surrender before the learned trial court positively on 17.10.2023 and the aforesaid order dated 22.05.2023, passed by this Court in Criminal Misc. No. 69261 of 2021 shall be rendered inoperative.

4. The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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