

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33906 of 2024

In
CRIMINAL MISCELLANEOUS No.8979 of 2022

Arising Out of PS. Case No.-623 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Ranjan Kumar Son Of Ramji Prasad Resident Of Old Parsa Bazar,
Rqahimpur, P.S. - Parsa Bazar, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi Daughter Of Ramjee Prasad Resident Of Old Parsa Bazar,
Rahimpur, P.S. - Parsa Bazar, District - Patna, At Present Resident Of
Khapairali Chak, P.S. - Parsa Bazar, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Raj, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2024 This application has been filed for modification of

order dated 04.08.2022 passed in Cr. Misc. No. 8979 of 2022

with regard to exempt the petitioner to pay the maintenance
amount of Rs. 5000/- per month to the opposite party no. 2 on
the ground that during pendency of the case, Opposite Party No.
2 has contracted second marriage.

2. Learned A.P.P. for the State opposed the modification
petition and submits that the assertion of the petitioner is not
supported by any evidence and on this ground, modification
application cannot be allowed.

3. Heard learned counsels for the parties.



4. The assertion of the petitioner that the opposite party no. 2 has contracted second marriage is not supported by any evidence and the same can only be proved during trial after adducing evidence. At this stage, order dated 04.08.2022 passed in Cr. Misc. No. 8979 of 2022 cannot be modified on that ground. Accordingly, the modification application is dismissed.

(Prabhat Kumar Singh, J)

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