

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76138 of 2024

In
CRIMINAL MISCELLANEOUS No.11498 of 2023

Arising Out of PS. Case No.-313 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Arjun Yadav son of Lakshu Yadav @ Lachu Yadav village- Chaugain, ps-
Raushanganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Malti Devi wife of Not Available village- Nalichak, ps- Maigra, Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2024 Heard learned counsel for the parties.

2. This petition has been filed for modification of order dated 04.07.2023 passed in Cr. Misc. No. 11498 of 2023 whereby petitioner was granted bail on the basis of his undertaking that he is ready to give maintenance amount of Rs. 3000/- (three thousand) 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 started living in relationship with another person as such, she is not facing hardships in maintaining herself. 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 in absence of any documents, on mere assertion made by the petitioner, his prayer of modification of the aforesaid order cannot be be accepted. Moreover, it is a matter to be seen at the stage of trial.

5. In view of the aforesaid facts and circumstances, order dated 04.07.2023 passed in Cr. Misc. No. 11498 of 2023 is not required to be modified. This modification petition is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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