

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46556 of 2024

In
CRIMINAL MISCELLANEOUS No.11301 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- MAHILA PS District- Jehanabad

Md. Sarique @ Md. Sharik @ Tuptup son of Zeaul Haque @ Ziyaul Haque
Village- Baignabad Ps- Bihar Dist- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Trannum Praveen D/o- Md. Gulam Ashfaq Village- Pakahi Ps- Tehta Dist-
Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This modification application is filed for modifying the order dated 23.05.2024 passed in Criminal Miscellaneous No. 11301 of 2024 passed by this Court in Jehanabad Mahila P.S. Case No. 33 of 2023 dated 05.10.2023, instituted for the offence punishable under Sections 498(A), 494, 354(B), 341, 323, 504, 506 and 34 of the Indian Penal Code in which the petitioner was granted bail on the basis of his undertaking that he is ready to give maintenance amount of Rs. 20,000/- (twenty hundred) per month to the opposite party No. 2.



3. Suffice it to state here that petitioner was directed to give Rs. 20,000/- per month as living cost to the opposite party no. 2. Learned counsel for the petitioner submitted that the business of the petitioner has ruined and now he is working in a local furniture company at Begusarai and gets a remuneration of Rs. 12000/- per month in which he has to take care of his parents, wife and three children apart from O.P. No. 2 and her daughter so, it is beyond the capacity of the petitioner to pay a sum to Rs. 20,000/- as living cost to opposite party no. 2.

4. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for modification.

5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am inclined to reduce the living cost granted by the petitioner to the opposite party no. 2 from 20,000/- per month to 15,000/- per month.

6. Accordingly, the modification stands allowed subject to the following conditions:-

I. That the petitioner shall deposit a sum of Rs. 15,000/- per month in the bank account of O.P. No. 2 positively in the 2nd week of every month starting from the month of June,



2024.

II. That in the event, the petitioner does not pay the monthly maintenance as agreed for two consecutive months, the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner.

III. That the petitioner shall deposit the arrears starting from the month of June, 2024 in the bank account of opposite party no. 2 within four weeks.

(Khatim Reza, J)

Sankalp/-

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