

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67895 of 2023

In
CRIMINAL MISCELLANEOUS No.1726 of 2022

Arising Out of PS. Case No.-692 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhishek Nandan, S/O Sri Kamta Nandan R/O Plot No 132, Gayatri Nagar- A
Maharani Farm, Durgapura, Police Station- Shipra Path, District- Jaipur
(Rajasthan).

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Jigyasha Rani, W/O Abhishek Nandan, D/O Arun Kumar R/O B/72,
Housing Colony, Sai Baba Mandir, Lohianagar, P.S- Kankarbagh, Distt.-
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
For the Opposite Party/s	:	Mr.Sanjay Kumar Sharma
		Mr.Sunil Kumar Singh
		Mr.Ajay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 20-03-2024 1. Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The Court completely fails to appreciate the
conduct of the petitioner that he is seeking modification of the
order dated 08.08.2022 passed in Cr. Misc. No.1726 of 2022 for
the reason that the learned counsel for the petitioner, based on
instruction of the petitioner, who is husband of opposite party
no.2, had made a categoric submission that petitioner will pay
an amount of Rs.14,000/- per month towards maintenance of the



opposite party no.2 and the child, who is staying with her and now, the petitioner is trying to resile from his own submissions made through his lawyer by taking a plea that he is not in a position to pay Rs.14,000/- by way of monthly maintenance.

3. The learned counsel appearing on behalf of the opposite party no.2, at this stage, submits that the opposite party no.2 has filed a case under the D.V. Act, wherein the learned D.V. Court has directed the petitioner to pay a monthly maintenance of Rs.30,000/-, but then, the said order has been challenged by the petitioner before this Court. It is thus submitted that petitioner is neither paying the amount as directed by the D. V. Court in absence of stay by the superior Court and now, is resiling from his own undertaking given to this Court that petitioner is willing to pay a monthly maintenance of Rs.14,000/-. It is thus submitted that this shows the conduct of the petitioner.

4. Considering the submissions made by the learned counsel for the opposite party no.2, the petition is bereft of any merit and thus, dismissed.

(Satyavrat Verma, J)

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