

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60380 of 2025

In
CRIMINAL MISCELLANEOUS No.62104 of 2023

Arising Out of PS. Case No.-26 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

=====

Rintu Kumar S/o- Birendra Bind Village- Korwan PS-Islampur Distt-
Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Saloni Kumari D/o- Ramjanam Jamadar Village- Benipur Ps- Daniawan
Dist- Patna A/P- Khaddi Ps- Hilsa Dist- Nalanda

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Paras Nath
For the Opposite Party/s : Mr.Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. This petition has been filed for modification of
order dated 19.03.2024 passed in Cr.Misc. No.62104 of 2023
whereby petitioner was granted anticipatory bail with a
condition to pay Rs. 3,000/- (Three thousand) per month, as
interim solace, in the saving account of complainant/opposite
party no. 2,

3. Learned counsel for the petitioner submits that in
compliance of aforesaid order, petitioner was regularly paying
aforesaid amount in the bank account of opposite party no. 2 up-



to June, 2024, but after getting knowledge about second marriage of opposite party no. 2 with one Dipak Kumar on 20.04.2024, he has stopped the payment and therefore, he requests for modification in paragraph – 6 of the order dated 19.03.2024 passed in Cr.Misc. No.62104 of 2023 by a coordinate Bench of this Court.

4. Interim maintenance is intended to provide minimum financial support to a spouse or partner to avoid starvation during the pendency of divorce or separation proceedings. Courts usually evaluate overall financial circumstances of both parties including other resources or assets before directing the petitioner to pay interim maintenance to his wife. In the present case, petitioner was directed to pay the aforesaid interim solace on the undertaking given on behalf of petitioner. Since, petitioner has only informed regarding solemnization of second marriage of opposite party no. 2 and has not brought on record any evidence in support of said submission, this cannot be a ground for exemption from paying interim solace to opposite party no.2. This can only be decided at the stage of trial after giving opportunity to all the parties. It cannot be decided at this stage and the modification petition cannot be allowed on this ground alone.



5. The modification petition is dismissed accordingly.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

