

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73717 of 2023

Arising Out of PS. Case No.-1670 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Puja Gupta @ Smt. Puja Kumari Gupta W/O Sri Amit Kumar, D/O Sri Birendra Kumar Gupta R/O Bhawar Pokhar, Pucca Kuan, Ps. Pirbahore, Dist. Patna-800004, Presently Residing At Road No. 13/B, Rajendra Nagar, Ps. Bahadurpur, Dist. Patna-800016

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit Kumar S/O Sri Dinesh Prasad Sah R/V- Annapurneshwari Nilaya, Door No. 20, Ground Floor, Jodi Huskur, Huskur Village- P.O. Virgo Nagar Post, Ps. Av Alhalli, Bangalore Rural, Dist. Bangalore, Pin-560049

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahesh Prasad, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP
For the O.P. No. 2	:	Mr. Kumar Shivam Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-08-2025 Heard Mr. Mahesh Prasad, learned counsel for the petitioner, Mr. Kumar Shivam Sinha, learned counsel for the Opposite Party No. 2 as well as Mr. Nawal Kishore Prasad, learned A.P.P. for the State.

2. The present application has been filed for cancellation of the anticipatory bail application vide order dated 12.06.2020 passed in Cr. Misc. No. 57931 of 2019 and modification order dated 12.07.2023 passed in Cr. Misc. NO. 41410 of 2023.

3. Learned counsel for the petitioner submits that the



Opposite Party No. 2 has not followed the terms and condition as stipulated in the aforesaid order. He further submits that order dated 23.01.2019 in D.V. Case No. 57 of 2018 has been passed by Judicial Magistrate 1st Class, Patna for paying maintenance of Rs. 40,000/- per month to the petitioner and on failure to pay the maintenance it was directed to be realised such amount of Rs. 40,000/- per month by deducting his salary for payment of his wife-petitioner.

4. Pursuant to the aforesaid direction, the Opposite Party No. 2 has paid the amount to the petitioner but the Opposite Party No. 2 has performed second marriage with one Shruti Kumari and thereafter, the Opposite Party No. 2 has not paid the amount to the petitioner.

5. Learned counsel for the Opposite Party No. 2 has appeared through Vakalatnama and submits that he has not disobeyed the aforesaid orders passed by the Hon'ble Court and submits that in terms of the aforesaid order the Opposite Party No. 2 has paid Rs. 40,000/- and in fact, the same has been deducted from his salary account in favour of the petitioner.

6. Considering the aforesaid facts and circumstances that the Opposite Party No. 2 has not violated any terms of the aforesaid order, no case is made out for interference of this



Court.

7. Accordingly, the present application stands dismissed.

(Rajesh Kumar Verma, J)

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