

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3107 of 2025

In
CRIMINAL MISCELLANEOUS No.71250 of 2019

Arising Out of PS. Case No.-4197 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Kaushal Kumar, son of Suraj Chaudhary, R/o village- Chaksikandar, Ps-Bidupur, Dist- Vaishali at P/A- Settled at House no. 627, Sector-10, Faridabad (Haryana), Presently Posted HSK, 1 Y No. 109163, C No. 65, MYU, Department, Naval, Dakyard, Mumbai 400023, I-24, Neval, Dakyard, Mumbai, Lanjur Marg, Mumbai-40078.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Bharti Wife of Kaushal Kumar R/o village- Chaksikandar, Ps-Bidupur, Dist- Vaishali At P/A- Settled at House no. 627, Sector-10, Faridabad (Haryana), Presently Posted HSK , 1 Y No. 109163, C No. MYU, Department, Naval, Dakyard, Mumbai 400023, I-24, Neval, Dakyard, Mumbai, Lanjur Marg, Mumbai 40078, Presently she is residing with her father namely Ramanand Rajak, Permanent Resident Sultanpur, Ps-Mokama, Dist- Patna at Present Tenant of Sanjay Kumar, west Lohanipur, ps- Kadamkuan, Dist- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Prasad Singh, Advocate
For the Opposite Party/s : Ms.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-02-2025 Heard learned counsel appearing on behalf of the

parties.

2. After short argument, learned counsel for the

petitioner seeks permission to withdraw this present

modification petition, as to raise all such issues before the

court of learned Additional Principal Judge, Family Court,

Patna in Maintenance Case No. 331 of 2017.



3. The main issues which was raised by the learned counsel that petitioner in present appears unable to pay *ad interim* maintenance of Rs. 30,000/- as his take home salary is less than the amount as submitted earlier. However, he is paying Rs. 10,000/- per month to opposite party no. 2.

4. Considering the submission as advanced above, the present petition stands dismissed as withdrawn, however, with liberty to raise all such issues before the learned trial court in aforesaid pending proceedings.

5. Learned trial court is directed to pass appropriate order at the earliest on pending petition of *ad interim* maintenance, if any, without being prejudiced by the order as passed by this Court on the basis of material adduced by the parties.

6. With aforesaid observation, the present modification petition stands disposed of.

(Chandra Shekhar Jha, J)

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