

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6361 of 2025

Arising Out of PS. Case No.-751 Year-2022 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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Ritu Kumari Daughter of Dashrath Saw village- Anand Bazar, Post and Ps-
Danapur, Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjeev Kumar son of Late Sheetal Prasad village- Naya tola, Madhopur,
Ps- Bakhtiyarpur, Dist- patna, AT Present Resident of RE Colony, Quarter
No. 50 E, Post and Ps- Burhanpur, Dist- Burhanpur MP

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kr. Sinha, Advocate Mr. Ajay Kr. Prasad, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP
For the O.P. No. 2	:	Mr. Raj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

8 17-07-2026 1. Heard learned counsel for the petitioner, the learned

APP for the State and the learned counsel appearing on behalf of

the O.P. No. 2.

2. Learned counsel appearing on behalf of the
petitioner, who is wife, submits that O.P. No. 2 was granted the
privilege of anticipatory bail by an order dated 18.03.2024 in
Criminal Miscellaneous No. 46055 of 2023 since O.P. No. 2
herein had taken a plea that he is willing to pay a monthly
maintenance of Rs. 6,000/- to the petitioner herein with effect
from 01.04.2024.

3. Learned counsel appearing on behalf of the



petitioner submits that O.P. No. 2 herein paid an amount of Rs. 12,000/- to the petitioner herein i.e. till month of June, 2024 and thereafter the payment was not made, as such, the instant cancellation application was filed for cancelling the anticipatory bail granted to the O.P. No. 2 herein by order dated 18.03.2024 in Criminal Miscellaneous No. 46055 of 2023.

4. At this stage, the learned counsel appearing on behalf of the O.P. No. 2 submits that petitioner had filed an application before the learned Trial Court on 06.07.2024 wherein it was recorded that petitioner herein is not willing to accept the amount of maintenance from the O.P. No. 2 herein in compliance of the order dated 18.03.2024 in Criminal Miscellaneous No. 46055 of 2023

5. The petitioner and the O.P. No. 2, in compliance of the order dated 19.06.2026, were present in the Court on 10.07.2026, but then on 10.07.2026 on account of "Farewell Reference", the Court had to rise at 11:45 AM, as such the case could not be taken up on 10.07.2026 hence, the petitioner and the O.P. No. 2 are present in the Court today.

6. On query of the Court from the petitioner that as to why she filed an application before the learned Trial Court recording therein that she does not want to take



money/maintenance from the O.P. No. 2 herein, on which she submitted that the amount of Rs. 12,000/- was not credited in her account rather was deposited with the *Nazarat* of the District Court as such she had gone to get the money from the *Nazarat* when she was made to sign on a blank paper by her learned Advocate, Anup Kumar Sinha having Mobile No. 9905053237. It is submitted that petitioner is completely unaware that such an application was filed before the learned Trial Court. It is next submitted that when before this Court the O.P. No. 2 herein had agreed to pay a monthly maintenance of Rs. 6,000/- why the petitioner would file an application before the learned Trial Court recording that she does not want the money from the O.P. No. 2.

7. At this stage, the learned counsel appearing on behalf of the O.P. No. 2 submits that an application has been filed by a learned lawyer on behalf of the O.P. No. 2 recording the aforesaid fact, as such, it cannot be brushed aside lightly and it was because of the said application, the O.P. No. 2 herein stopped paying the maintenance.

8. On query of the Court that as to whether O.P. No. 2 intends to start with the maintenance or not, since the O.P. No. 2 before this Court in the aforesaid criminal miscellaneous had



himself accepted to pay a monthly maintenance of Rs. 6,000/-, on which the learned counsel appearing on behalf of the O.P. No. 2, based on instruction, submits that O.P. No. 2 is willing to pay the monthly maintenance, but then the arrears of rupees one lakh and forty thousand and odd shall be paid in installment and the current monthly maintenance shall start from 27.07.2026. It is further submitted that in the month of July, 2026 apart from current maintenance, the O.P. No. 2 shall also pay an amount of Rs. 14,000/- and the payment, accordingly in similar manner shall continue from the month of August, 2026 as such, within a period of ten months from the month of July, 2026, the arrear shall be cleared and the current maintenance will continue.

9. The petitioner who is present in person, also does not dispute the said mode of payment as submitted by the learned counsel appearing on behalf of the O.P. No. 2 It is also submitted that no useful purpose would be served by cancelling the bail of the O.P. No. 2 since he is willing to clear the arrears and will also pay the current maintenance.

10. The petitioner herein next submits that her Saving Account No. is 37240100009596 in Bank of Baroda, Saguna More, Danapur, Patna Branch, IFSC Code- BARB0DANAPU.

11. The O.P. No. 2 herein submits that henceforth the



amount as agreed shall be credited in the account of the petitioner herein on or before 27th of every month commencing from July, 2026.

12. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner be permitted to withdraw the instant cancellation application with liberty to file afresh, if the O.P. No. 2 herein does not adhere to the undertaking given before this Court.

13. Permission is accorded.

14. The personal appearance of the petitioner and the O.P. No. 2 is dispensed with.

15. **Accordingly, the instant cancellation application stands dismissed as withdrawn with the liberty aforesaid.**

(Satyavrat Verma, J)

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