

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36762 of 2026

In
CRIMINAL MISCELLANEOUS No.20133 of 2025

Arising Out of PS. Case No.-3699 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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Dhiraj Bhai S/O Late Prabhat Kumar Singh R/O Village- Paharichak, P.S.-
Sonepur, District- Saran at Chapra.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Salini Kumari D/O Manoj Kumar Singh R/O Village- Pakauli, P.S.- Bidupur,
Distt.- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-07-2026 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 15.9.2025, passed in Cr.Misc. No.34435/2023 directing the petitioner to pay interim maintenance/solace of Rs.3000/- per month to his wife (opposite party no.2), on the ground that petitioner is suffering from mental disorder since birth.

3. It is both a statutory and moral duty of a husband to ensure that his wife does not fall into destitution. Legally, a wife is entitled to a level of financial support that reflects the lifestyle she would have had while still living with her husband. Therefore, the husband cannot deny his duty to provide financial support simply because he has a mental health condition.

4. However, petitioner is granted further eight weeks time to surrender and furnish bail-bond before the concerned



Court where the case is pending, provided the petitioner deposits Rs. 5,000/- (Rupees five thousand) in the office of concerned District Legal Services Authority and to furnish its receipt with the bail-bond. This amount may be utilized by the Civil court concerned in purchase of furniture and beautification of the court premises.

5. Petitioner must pay the up to date arrears of interim maintenance in light of order dated 15.9.2025 in six equal instalments in succeeding six months starting from the date of pronouncement of this order.

6. With this modification in order dated 15.9.2025, this petition is thus disposed of.

(Prabhat Kumar Singh, J)

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