**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.78115 of 2026**
**In**
**CRIMINAL MISCELLANEOUS No.30372 of 2019**

**CNR No. BRHC011033122026**

Arising Out of PS. Case No.-268 Year-2015 Thana- SAHEBPUR KAMAL District-Begusarai

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Raushan Kumar @ Ravshan Kumar @ Raushan Yadav Kumar S/O Mr. Hirdi Yadav @ Hirji Yadav Resident of Village- Barahara, P.S.- Gogri, District-Khagaria

... ... Petitioner/s

Versus

1. The State of Bihar
2. Dhanju Kumari D/O Umesh Yadav R/O Village- Sri Chandrapur, P.S.- Sahebpur Kamal, Dist.- Begusarai.

... ... Opposite Party/s

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**Appearance :**
For the Petitioner : Mr. Binod Kumar, Advocate
Mr. Amit Prakash, Advocate
Ms. Ayushi, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**

ORAL ORDER

2 30-10-2026 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 18.02.2020 passed in *Cr. Misc. No. 30372 of 2019* whereby the petitioner was granted anticipatory bail with a condition to pay Rs. 2,000/- (Two thousand) per month, as interim solace/maintenance, in the bank account of the

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informant/Opposite Party No. 2.

3. Learned counsel for the petitioner submits that in compliance of aforesaid order, petitioner is regularly paying aforesaid amount in the bank account of Opposite Party No. 2 but the informant/Opposite Party No. 2 does not wants to live with this petitioner and has already solemnized second marriage with another person on 26.03.2021 and, therefore, the order dated 18.02.2020 passed in *Cr. Misc. No. 30372 of 2019* requires modification, so far as payment of Rs. 2,000/-, as maintenance, is concerned.

4. This Court, while allowing pre-arrest bail to the petitioner vide order dated 18.02.2020 passed in *Cr. Misc. No. 30372 of 2019*, on the submission of petitioner himself, had directed him to pay Rs. 2,000/- per month as interim relief/solace to Opposite Party No.2 with observation that the aforesaid payment will be subject to any order passed in the maintenance case for final settlement. The issue of maintenance or the fact that the informant/Opposite Party No. 2 has already solemnized second marriage cannot be decided by this Court. It can only be decided by the concerned Court at the stage of trial after giving full opportunity to both the parties and as such, the modification petition cannot be allowed on this ground alone.

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5. Accordingly, this modification petition is dismissed.

**(Prabhat Kumar Singh, J)**

shashank/-

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