

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.564 of 2026

In
CRIMINAL MISCELLANEOUS No.15972 of 2024

Arising Out of PS. Case No.-1812 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Subham Singh @ Golu Son of Gunjan Singh Resident of Village- Baheri,
P.O.- Kamalkpur, P.S.-Chandauli, District- Chandauli (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Annu @ Puja Kumari Daughter of Arjun Singh and Wife of Shubham Singh @ Golu Resident of Village- Dumariya, P.O.- Bishunpura, P.S.- Koilwar, Distt.- Bhojpur (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-02-2026 Heard learned counsel for the parties.

2. This petition has been filed for modification of order dated 18.07.2024 passed in Cr. Misc. No. 15972 of 2024 by which petitioner was granted bail on the basis of his undertaking that he is ready to give maintenance amount of Rs. 3000/- (three thousand) per month to the opposite party No. 2.

3. The present modification petition has been filed on the ground that prior to the impugned order, learned Principal Judge, Family Court, Chandauli, U.P. had already directed petitioner to pay Rs. 2,500/- per month as interim maintenance under Section 24 of the Hindu Marriage Act in Matrimonial



Case No. 311 of 2023 (Divorce) but the aforesaid fact could not be placed before the Court while seeking pre-arrest bail and as such, impugned order needs correction.

4. However, learned A.P.P. for the State opposed the prayer and submitted that the impugned order dated 18.07.2024 has been passed after hearing the parties and after taking undertaking of the petitioner and as such, no interference is required at this stage. From perusal of the impugned order dated 18.07.2024 passed in Cr. Misc. No. 15972 of 2024 it is apparent that the same order is subject to any order passed in Matrimonial Case No. 311 of 2023 (Divorce) or connected proceeding as mentioned in condition (4) of paragraph no. 6 :

‘(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.’

5. No further clarification is required and order dated 18.07.2024 passed in Cr. Misc. No. 15972 of 2024 is not required to be modified. This modification petition is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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