

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23305 of 2013

Arising Out of PS.Case No. -1457 Year- 2012 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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Amit Kumar Thakur son of Sri Arun Kumar Thakur Resident Of Village-
Bharwara, P.S.- Singhwara, District- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar
2. Raj Nandani Thakur wife of Sri Amit Kumar Thakur Resident Of
Mohalla- Kadirabad Ward No.-6, P.S.- Lalit Narain Mithila University,
District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur

For the Opposite Party/s : Smt. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 22-11-2016 Heard Sri Ajay Thakur, learned counsel who was

assisted by Sri Malay Kumar Chaudhary, learned counsel for the

petitioner and learned Additional Public Prosecutor.

The petitioner has approached this court invoking its
inherent jurisdiction under Section 482 of the Code of Criminal
Procedure against an order dated 22.3.2013 passed by learned
Sessions Judge, Darbhanga in A.B.P. No. 1273 of 2012 . By the
said order while extending the privilege of anticipatory bail the
learned Sessions Judge has directed the petitioner to pay Rs.
2500/- per month for maintaining opposite party no. 2.

On perusal of the order it is evident that on 22.3.2013

petitioner before the learned Sessions Judge had offered to pay some maintenance to the opposite party no. 2 and in presence of petitioner this order was passed. Meaning thereby that the order was with consent of the petitioner. Moreover, while extending the privilege of anticipatory bail the learned Sessions Judge had said that within a period of fortnight from the date of receipt of copy of that order the petitioner was to be enlarged on bail in the event of his arrest or surrender. However, the present petition was filed in the month of June 2013 i.e. much after expiry of the period fixed by the court below.

Keeping in view the fact that it was a consent order certainly petitioner may not be allowed to assail it before this court .

The petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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