

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31328 of 2016

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Anil Kumar Rai S/o Ram Bharesh Rai, Resident of village – Rampur
Dumari, P.S. – Karhatiya Bujurg, P.S. Goroul (Kathar O.P.), District –
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Suman Devi, D/o Sri Umashankar Rai, Resident of Village – Maheya,
P.O. – Malpur, P.S. – Patepur, District – Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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

ORAL ORDER

02/ 17-08-2016

Heard learned counsels for the petitioner

and the State.

The present application has been filed for
modification of order dated 13.10.2015 passed in Cr. Misc. No.
24434 of 2015.

The above mentioned Cr. Misc. was
preferred by the petitioner with a prayer for anticipatory bail in
connection with Complaint Case No. 3679(C) of 2014 wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and 4 of Dowry Prohibition Act, pending in
the court of learned Sub-divisional Judicial Magistrate, Vaishali

at Hajipur.

The marriage between the petitioner and the complainant and birth of a male child are admitted facts.

The petitioner claimed to have filed Matrimonial Suit No. 276 of 2014 with a prayer for divorce prior to lodging of the present case. Though, the complainant is ready to resume the conjugal life but the petitioner is not ready to accept the offer of the complainant and expressed his willingness to make payment of Rs.2,000/- per month from November, 2015 to the complainant by depositing the same in her bank account by second week of every month, but now it is submitted by learned counsel for the petitioner that the petitioner is not in a position to make payment of Rs.2,000/-.

This Court is not inclined to revise the order on merits. Accordingly, this application is dismissed.

(Dinesh Kumar Singh, J)

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