

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54451 of 2013

Arising Out of PS.Case No. -262 Year- 2013 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Md. Asraf Khan @ Rikki S/O Md. Asgar Khan Resident of Mohalla- Purab
Sarai, Kamala Road, P.S.- Kotwali, District- Munger

.... Petitioner

Versus

1. The State of Bihar
2. Sabra Praveen W/O Md. Asraf, D/O Md. Aashique Resident of Mohalla-
Purab Sarai, Kamala Road, P.S.- Kotwali, District- Munger

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate.

For the Opposite Parties : Mr. Dilip Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 26-10-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 262C of 2013 registered for the offences punishable under
Section 498A of the Indian Penal Code and under Section 4 of the
Dowry Prohibition Act.

The petitioner was granted interim anticipatory bail
vide order dated 07.02.2014 on the undertaking that the petitioner
was ready to settle the dispute with opposite party no. 2 and on
such, notice was issued to the opposite party no. 2.

Learned counsel for the petitioner submits that the
petitioner had been paying Rs. 750/- per month to his wife since
order dated 07.02.2014, but the petitioner is unable to keep his

wife and he is ready to settle the dispute once for all.

On the other hand learned counsel for the opposite party no. 2 submits that opposite party no. 2 filed a petition for her maintenance and maintenance of her child. The court directed the petitioner to pay a sum of Rs. 3500/- per month for maintenance of the complainant and her child vide order dated 31.01.2014 in Maintenance Case No. 398 of 2013, but this fact was also concealed from this Court and the petitioner has not paid even a single farthing in pursuance of the order passed in Maintenance Case No. 398 of 2013. The petitioner is reluctant to keep his wife.

Considering the fact aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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