

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.765 of 2018

In
Criminal Miscellaneous No.26536 of 2015

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Baby Sinha @ Baby Kumari

... .. Petitioner/s

Versus

The State Of Bihar & Anr

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha, Adv.
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-04-2018

Heard.

The present application has been filed for initiating a contempt proceeding against opposite party no.2 for violating the undertaking incorporated in the order dated 17.08.2015, passed in Cr. Misc No. 26536 of 2015, whereby, the opposite party no.2, being the husband of the informant, was granted anticipatory bail in connection with Alamganj P.S. Case No. 08 of 2015, pending before the learned Additional Chief Judicial Magistrate, Patna City, Patna, registered for the offences punishable under Section 498A of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act, on the undertaking of the opposite party no.2 - petitioner that he is ready to make payment of Rs.3000/- per month from September, 2015 to the informant by depositing the same in her bank account by second



week of every month.

It is submitted by learned Counsel for the petitioner that opposite party no.2 has already been convicted in the concerned criminal case by the learned SDJM, Patna City vide Trial No.4261 of 2017, but the maintenance proceeding is still pending.

However, learned Counsel for the petitioner prays for withdrawal of the present application with a liberty to agitate her grievance at the appropriate forum including in the maintenance proceeding as the aforementioned payment was subject to any order passed in matrimonial, maintenance or any connected proceedings.

Permission is accorded.

Accordingly, the application is disposed of as withdrawn with the liberty aforementioned.

(Dinesh Kumar Singh, J)

Ashwini/-

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