

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.16299 of 2014**

Arising Out of PS.Case No. -438 Year- 2012 Thana -AURANGABAD COMPLAINT CASE  
District- AURANGABAD

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1. Md. Vakil Ansari @ Md. Vakil Son Of Suleman Ansari, Resident Of Village-  
Jaitpur, P.O- Jaitpur, P.S- Hasanpura, District- Aurangabad

.... .... Petitioner/s

Versus

1. The State Of Bihar  
2. Sakina Khatoon Wife Of Md. Vakil Ansari, D/O Md. Ekram Ansari Resident Of  
Village- Jaitpur, P.O- Jaitpur, P.S- Hasanpura, District- Aurangabad, At Present  
Residing At Village- Amzar Sariff, P.O+ P.S Hasanpura, District- Aurangabad.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

**ORAL JUDGMENT**

**Date: 04-01-2018**

The petitioner has challenged the order dated 16.01.2013 passed by the learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Complaint Case No. 438 of 2012, whereby cognizance has been taken against him under Section 498A of the Indian Penal Code.

From the complaint petition itself, it appears that the complainant/opposite party no. 2 has been ill-treated and the offence of Section 498A is squarely made out against the petitioner.

Learned counsel for the opposite party no.2/complainant has stated that the petitioner, during the subsistence of his marriage with opposite party no. 2, has married again and has gone away to a



different district. It has further been submitted on behalf of the opposite party no. 2 that the maintenance amount, which was directed to be paid to her by a Bench of this Court, has also not been complied with.

For the aforesaid facts, this Court is not inclined to interfere with the order taking cognizance dated 16.01.2013.

The petition is, accordingly, dismissed.

**(Ashutosh Kumar, J.)**

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