

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58772 of 2017

Arising Out of PS. Case No.-30 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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Aradhana Kumari @ Aradhana Devi W/o Sri Pawan Kumar Mandal, R/o Village- Khuthadih, P.S.- Barahiya in the District- Lakhisharai, presently residing in Village- Mokamaghat, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pawan Kumar @ Pawan Kumar Mandal @ Pavan Kumar S/o Late Arjun Mandal, R/o Village- Khuthadih, P.S.- Barahiya, in the District of Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma
For the State : Mr. Kanhaiya Kishore
For the Opposite Party : Mr. Ramakant Sharma, Sr. Advocate.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-07-2018 A counter affidavit has been filed on behalf of
opposite party no. 2 during the course of argument.

Let it be taken on record.

The petitioner/wife has sought cancellation of anticipatory bail granted to opposite party no. 2 by order dated 12.12.2013 passed by a Bench of this Court in Cr. Misc. No. 35137 of 2013 on the ground that the petitioner has not been paid the maintenance amount.

Mr. Ramakant Sharma, learned senior advocate appearing for opposite party no. 2 has submitted that at the time of grant of anticipatory bail to him, he was directed to pay an amount of Rs. 5000/- per month towards the maintenance of the petitioner. The aforesaid



amount is being deposited in the account of the petitioner. Additionally, the opposite party no. 2 was also directed to pay an amount of Rs. 10,000/- in the divorce proceedings before the learned Principal Judge, Family Court, Lakhisarai. That amount also is being paid.

Mr. Sharma, learned senior advocate has brought on record the official communication indicating that the arrears as well as the maintenance amount is being deducted from the salary of opposite party no. 2 and simultaneously, an amount of Rs. 30,000/- is being deposited in the account of the petitioner.

For the aforestated facts, this Court is not inclined to interfere with the order granting anticipatory bail to the opposite party no. 2.

No case has been made out, at this stage, for cancellation of anticipatory bail of the opposite party no. 2.

The petition is dismissed.

(Ashutosh Kumar, J)

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