

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15475 of 2019

Arising Out of PS. Case No.-137 Year-2016 Thana- COMPLAINT CASE District- Araria

Md. Mazahar @ Mazahar Alam, Son of Md. Khadim, Resident of Village -
Chandardai, P.S.- Araria (R.S.), District - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajima Khatoon, D/O - Md. Islam, Resident of Village - Ahmadpur, P.S.-
Jogbani, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-07-2019 This is an application for grant of anticipatory bail in
connection with Complaint Case No. 137C of 2016, disclosing
offence under Section 498A of IPC.

Allegation against the petitioner is of demand of
dowry and ousted her from the house. It further appears that
now the petitioner has married with another lady also.

Submission of the learned counsel for the petitioner is
that he is still ready to pay the maintenance as decided in the
Maintenance Case No.20 of 2016, vide order dated 27.11.2017.

Heard learned A.P.P. as well as learned counsel for the
opposite party no.2 also, they have opposed the prayer for
anticipatory bail by stating that in spite of the order passed by



the learned Family Court, but up till now, not a single penny has been paid by the petitioner to her and the petitioner has married with another lady. A show cause has been issued to the petitioner, in which he has admitted the said fact and as such, the case filed by the petitioner for restitution of conjugal rights is of no fruitful.

Having heard both sides, considering the above submission, this application is allowed. The provisional bail granted to the petitioner, vide order dated 13.03.2019 is confirmed with the condition that petitioner shall pay the current maintenance amount as directed by the Principal Judge, Family Court and pay the regular maintenance continuously for three months, failing which, the opposite party no.2 is at liberty to move before the court below for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

