

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10415 of 2020

Arising Out of PS. Case No.-200 Year-2016 Thana- NAANPUR District- Sitamarhi

=====

Dharmendra Thakur, aged about 34 years (Male), son of Maheshwar Thakur,
resident of Village - Paigambarpur, P.S. - Sakra, District - Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Anjali Kumar, wife of Dharmendra Thakur, D/O Pramod Thakur, Resident of Village - Paigambarpur, P.S. - Sakra, District - Muzaffarpur. At Present R/o Village - Budhnagara, P.S.- Nanpur, District - Sitamarhi.

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Pawan Kumar Singh, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For Opp. Party No.2	:	Mr. Shashank Shekhar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 23-12-2021 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nanpur P.S. Case No. 200 of 2016 registered for the offence punishable under Sections 498(A)/34 of the Indian Penal Code.

There are allegations and counter allegations by the parties and therefore, there is no chance of settlement between the parties.

Considering the aforesaid facts, this anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court



below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sitamarhi, in connection with Nanpur P.S. Case No. 200 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It has been submitted by learned counsel for opposite party no.2 that a maintenance case No.199 of 2019 has been filed by the opposite party no.2 in the Family Court, Sitamarhi, which is still pending and is not proceeding because of non-appearance of the petitioner.

In such view of the matter, the Principal Judge, Family Court, Sitamarhi, is directed to dispose of the Maintenance Case No. 199 of 2019 within a period of three months from today.

Now, the petitioner having the knowledge about the maintenance case and therefore, he is directed to appear before the Principal Judge, Family Court, Sitamarhi, on 03.01.2022 and on that date, the Family Court, Sitamarhi, shall proceed in the matter and decide the same with the period, as indicated hereinabove. While deciding the maintenance case, the Principal Judge, Family Court, Sitamarhi, will follow the law laid down



by the Hon'ble Supreme Court in the case of ***Rajnesh v. Neha***,
reported in ***(2021) 2 SCC 324***.

In case of non-cooperation by either side, the case
shall be proceeded ex perate.

(Sandeep Kumar, J)

pawan/-

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

