

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36440 of 2020**

Arising Out of PS. Case No.-157 Year-2007 Thana- MUNGER COMPLAINT CASE
District- Munger

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Shivnandan Das Son of Late Madho Das Resident of Village- Meharpur, P.O.
- Kajrachak, P.S. - Shambhuganj, District - Banka 813211

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi W/O Shivnandan Das Resident of Village - Meharpur, P.O. -
Kajrachak, P.S. - Shambhuganj, District - Banka 813211. At present
Resident of English Patam, Ps – Naya Ram Nagar, District - Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Adv.
For the Opposite Party/s : Mr.B.N.Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2021 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.157(C) of 2007 registered under Sections 323, 379,
494, 498A and 504 of the Indian Penal Code.

The complainant alleged that she was married with
the petitioner in the year 1977 and she gave birth to two children
but both the children died. The complainant also gave birth to a
female child who is aged about 21 years but thereafter the
petitioner solemnised second marriage in the year 1996 with one
Neelam Devi and started neglecting the complainant. The
petitioner did not pay any amount for her maintenance.

The learned counsel for the petitioner submits that the



case was compromised. The petitioner is ready to give maintenance to his wife. The petitioner solemnised second marriage with the consent of his first wife-complainant but it appears that case is of the year 2007. The petitioner moved this Court for grant of anticipatory bail only in the year 2020 after 14 years from the date of institution of the complaint petition. The petitioner was aware about the pendency of the complaint petition against him as he entered into a compromise with the complainant and undertook to give Rs.10,000/- to the complainant each month for her maintenance but the petitioner did not pay any maintenance to the complainant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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