

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83150 of 2019

Arising Out of PS. Case No.-606 Year-2014 Thana- COMPLAINT CASE District-
Kishanganj

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VIKASH KUMAR SINHA Son of Late Devendra Prasad Sinha Resident of
Village-Teghariya Dangi at present Tulsia Dakshin Basti, Police Station-
Bahadurganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Byuti Kumari Sinha Wife of Vikash Kumar Sinha Resident of Village-Tulsia
Dakshin Basti, Police Station-Bahadurganj, District-Kishanganj, at present
resident of village-Kharudah, P.S-Powakhali, District-Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Adv.
	:	Mr. Vijay Kumar, Adv.
For the Opposite Party/s	:	Ms Sucheta Yadav, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 16-08-2021 Heard Mr. Raj Kumar, learned counsel for the

petitioner and Mr. Manoj Kumar, learned counsel for the

complainant / opposite party no. 2. The State is represented

by Ms. Sucheta Yadav, learned APP.

The petitioner, who is husband of opposite party
no. 2 seeks bail in anticipation of his arrest in connection
with Complaint Case No. C 606 of 2014 instituted for the
offences under Sections 323, 379, 498(A) of the Indian
Penal Code.

Learned counsel for the petitioner has informed



this Court that he has not been able to establish contact with the client and, therefore, he does not know whether the direction of this Court to pay the monthly maintenance to opposite party no. 2, has been complied with by the petitioner.

On the contrary, learned counsel for the complainant / opposite party no. 2 has submitted that despite the petitioner having taken time for filing an affidavit regarding the same, it has not yet been done and no money has been given to her by way of maintenance. But for the stay granted by this Court against any further coercive action, the petitioner upto now would have been declared an absconder.

For the execution of the order regarding maintenance, a distress warrant also appears to have been issued.

In this view of the matter, this Court is left with no alternative but to dismiss this petition and cancel the interim order granted to the petitioner.

The interim protection granted to the petitioner



vide order dated 09.01.2020, stands vacated.

This petition for grant of anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits, without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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