

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23443 of 2021

Arising Out of PS. Case No.-2124 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Jasim @ Jasim Son Of Gayas Uddin @ Md. Gayas Uddin R/O Village
And Panchayat- Dighali, P.S. And Anchal- Palasi, Ward No.-08, Balua
Kaliaganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Farhana Beghum @ Bibi Parahana Parveen @ Bibi Parhana Beghum
Wife Of Md. Jasim @ Jasim R/O Village And Panchayat- Dighali, P.S. And
Anchal- Palasi, Presently Residing At Village- Parsadangi, P.S. And Anchal-
Palasi, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Anil Kumar Mukund, Advocate
For the State	:	Mr. Md. Mushtaque Alam, APP
For Opp. Party No.2	:	Mr. Gopal Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-03-2022 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel for the opposite party

no.2.

The petitioner apprehends his arrest in connection
with Complaint Case No.2124C of 2018 for offences under
Sections 498A of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act.

It is submitted by learned counsel for the petitioner
that the petitioner is ready to stay with the complainant and in
view of the aforesaid submission, he may be granted



anticipatory bail.

Learned counsel for the opposite party no.2 submits that the petitioner has already re-married and he cannot go with the complainant and resume marital relationship with her. It is also submitted by learned counsel for the opposite party no.2 that in Matrimonial Case No. 321 of 2018, the Principal Judge, Family Court, Araria has passed an order for payment of maintenance of Rs.4000/- per month from the date of filing of Matrimonial Case No. 321 of 2018 i.e. on 11.09.2018 but not even a single farthing has been paid to opposite party no.2 by the petitioner.

On this, learned counsel for the petitioner submits that the petitioner has challenged the order of maintenance in the criminal revision and the same is pending before this Court.

When this Court has put a question as to whether any stay order has been passed in favour of the petitioner, then learned counsel for the petitioner says that there is no order of this Court operating the stay of order of maintenance.

Considering the above submissions, the petitioner does not deserve anticipatory bail from this Court as he has not obeyed the order of maintenance passed by the Principal Judge, Family Court, Araria in Matrimonial Case No. 321 of 2018.



Accordingly, this application for anticipatory bail is
dismissed.

(Sandeep Kumar, J)

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