

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15531 of 2022

Arising Out of PS. Case No.-126 Year-2016 Thana- MAHILA P.S. District- Muzaffarpur

SANTOSH PRASAD YADAV @ SANTOSH YADAV Son of Naresh Rai R/o
Village - Gauspur Pagahiya, P.S.- Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi Wife of Santosh Prasad Yadav D/o Bankim Chandra Yadav, R/o
Village - Bhalvaiya, P.O. and P.S. - Parsa, District - Saran at Chhapara Pin -
841219.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Kumar, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, A.P.P.
	:	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498 (A) of
the Indian Penal Code and Section $\frac{3}{4}$ of the Dowry Act.

In compliance of the order dated 20.09.2022 the
petitioner and the informant are present personally along with
their respective counsels.

The learned counsel for the informant at the outset
draws the attention of the Court to order dated 20.09.2022
wherein it was recorded that the learned Family Court vide
order dated 29.11.2018 in Maintenance Case No. 85 of 2017 had



directed the petitioner to pay a monthly maintenance of Rs. 4,000/- which the petitioner till date has not paid and the maintenance amount by now has swelled to more than Rs. 2 lakhs.

Today, when the matter is taken up and on query of the Court to the petitioner that as to why the said amount has not been paid to the informant till date, on which the petitioner submitted that he is a poor man and thus is not in a position to pay the amount but is willing for a one time settlement and offered to pay an amount of Rs. 5 lakhs.

The informant who is present physically in the Court does not agree to the offer and submits that petitioner is lying as he has property and is earning but does not want to maintain her nor wishes to keep her with dignity and honor.

Considering the submissions of the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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