

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67654 of 2021**

Arising Out of PS. Case No.-1387 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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RAMANAD GUPTA Son of Shiv Murat Shah Resident of Village - Akorhi
Mela, P.S.- Durgawati, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Ramanad Gupta Resident of Village - Akorhi Mela,
P.S.- Durgawati, District - Kaimur at Bhabua. At present resident of village -
Belhari, P.S.- Mohania, District - Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jay Prakash Singh, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP
For the Informant/s	:	Mr. Santosh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 11-10-2022 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 4 of the Dowry
Prohibition Act.

Learned counsel for the petitioner submits that he
had instructions to make submission that the petitioner in
view of the order dated 23.09.2019 in maintenance case no.
01 of 2018, would presently pay an amount of Rs. 60,000/-
to the informant within a period of ten days which was



recorded in the order dated 15.09.2022.

Today, when the matter is taken up, the learned counsel for the petitioner submits that petitioner is not in a position to pay the said amount, as he had agreed initially based on which the said submission was made.

Learned counsel for the informant submits that it was nothing but an attempt to mislead the Court so that the petitioner remains protected by the order of the Court during Dushehra Vacation. The learned counsel for the petitioner next submits that despite the order passed by the learned Principal Judge Family Court in maintenance case no. 01 of 2018 was 23.09.2019, still not a single penny till date has been paid and the petitioner being the husband is seeking anticipatory bail. The learned counsel for the petitioner next submits that though in the present case, the consideration and the yardstick for considering his anticipatory bail application would be different but then his conduct is also to be seen that how blatantly he had mocked at the orders of the learned Family Court, whereby maintenance amount of Rs. 5,000/- was fixed. It is also submitted that conduct of a person is also important, while



considering his bail application.

Considering the submissions made by the learned
counsel for the informant, the Court is not inclined to
extend the privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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