

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70930 of 2021

Arising Out of PS. Case No.-2024 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pankaj Singh @ Pankaj Kumar Singh, Son Of Ashok Kumar Singh Resident
Of Mohalla- Khojava Kiriya, P.S.- Bhelupur, District- Varanasi (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi Wife of Pankaj Singh, Daughter of Shriram Singh Resident of House No. 14/230, Mohalla- Khojava Kiriya, P.S.- Bhelupur, District- Varanasi, At present Village and Post Office- Chandi, P.S.- Charpokhari, District- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Dharmendra Kumar Singh
For the Opposite Party/s :	Mr. Bhanu Pratap Singh
	Mr. Uday Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 04-07-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 498A
of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case, which was instituted by
the present complainant and the complainant alleges that she
was married to the petitioner and after marriage, the
complainant was tortured for dowry. It is next alleged that on
13.10.2017, all the accused persons including the petitioner



assaulted her, broke her finger and took away of her jewellery and ousted her from her matrimonial home and left her at Ara Railway Station.

The learned counsel for the complainant at the outset submits that a divorce case and the maintenance case is pending between the parties. The divorce case has been filed by the petitioner and the maintenance case has been filed by the complainant. It is next submitted that in the divorce case, an interim maintenance of Rs.4,000/- has been granted to the complainant and in the maintenance case Rs.7,000/- has been granted by the learned Court below.

The learned counsel next submits that the aforesaid amount is due since 2014 and cumulatively, it comes to Rs.5,58,833/-. The learned counsel for the complainant further submits that petitioner till date has only paid Rs.25,000/-. It is next submitted that attitude of the petitioner is such that he does not have any respect for the orders of the Court even. It is next submitted that a person, who does not believe in the orders of the Court, should not move before the Court for taking relief. The learned counsel further submits that persons like petitioner misused the process of law for their own benefit, but when it comes to complying the orders of the Court then they start



disobeying the orders. More so, when there is no stay granted in favour of the petitioner against the orders of interim maintenance. The learned counsel next submits that the person, who does not respect the orders of the Court and flouts the same with impunity should not be granted for any kind of relief. The learned counsel for the petitioner is not in a position to rebut the submission of the learned counsel for the complainant with respect to the fact that the family Court has granted interim maintenance and the complainant has also been granted maintenance under the Cr.P.C., but the petitioner till date has not made any payment except for Rs.25,000/-.

The petitioner and the complainant along with the child are physically present in the Court and after hearing the counsels at length, the Court does not feel inclined to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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