

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5391 of 2020

Arising Out of PS. Case No.-859 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Mobarak, Son Of Md. Kalim Resident Of Village - Panserwa, P.O.-
Bhansia, P.S.- Mahalgaon (Jokihat), District - Araria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pakiza Begum Wife Of Md. Mobarak D/O - Md. Yusuf, Resident Of Village
- Panserwa, P.O.- Bhansia, P.S.- Mahalgaon (Jokihat), District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manish Kumar
For the Opposite Party/s :	Mr. Humayou Ahmad Khan Mr. Anamul Haque

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 06-07-2023 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
Complaint Case No.859c of 2018 registered for the offences
punishable under Section 498(A) of the Indian Penal Code and
Section 4 of the D. P. Act.

The learned counsel for the informant submits that the
informant had also instituted a case seeking maintenance from
the petitioner and the learned trial Court fixed a maintenance of
Rs.6,000/- to be paid by the petitioner, but the said amount has
also not been paid despite the fact that though petitioner did not
appear before the learned Family Court in the Maintenance



Case, but is aware of the order. It is next submitted that the matter was also referred for mediation where the petitioner agreed to take the informant back with him to the place where he is working, but he left the informant and the child at the bus stand and fled.

The learned counsel for the petitioner rebuts the submission of the learned counsel for the informant and submits that the order granting maintenance is ex parte and he will seek his remedies available in law.

Considering the submissions made by the learned counsel for the informant and the fact that petitioner is not maintaining the wife and the child and even breached the agreement reached in the mediation proceeding, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

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

(Satyavrat Verma, J)

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