

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8471 of 2023

Arising Out of PS. Case No.-1136 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

ANIL PRASAD YADAV Son of Bandelal Yadav Resident of Village - Bela
Naubad, P.S.- Beldaur, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Anil Prasad Yadav Resident of Village - Chaurahati,
P.S.- Sahebpur Kamal, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Kumar, Advocate
For the Opposite Party/s :	Mr. Arun Kumar Singh, APP
	Mr. Indrajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-05-2023 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 Sections 498A and 494 of the Indian Penal Code.

Learned counsel for the informant, at the outset, submits that the informant, who was married with the petitioner about 21 years back, has now been ousted from her matrimonial home along with a young daughter. It is further submitted that a maintenance case was also filed in which the learned court of competent jurisdiction had directed the petitioner to pay a monthly maintenance of Rs. 6,000/-, Rs. 3,000/- for the informant and Rs. 3,000/- for the daughter but the same till date



has not been paid which the petitioner had to pay from the year 2017. It is next submitted that petitioner has married for the second time and from that marriage, a child has been born. Learned counsel next submits that neither the petitioner is giving maintenance nor is maintaining his daughter and is enjoying his life with his second wife and son.

Learned counsel for the petitioner does not dispute the fact that informant is his married wife and has a daughter but then submits that informant is the second wife with whom he married 21 years back and now a case has been instituted on which the learned counsel for the informant rebuts the submission and submits that the informant is the first wife and when she was unable to bear the torture and trauma inflicted by the petitioner upon her and her daughter, leading to her ouster, she had no option but to file the present case.

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.

His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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