

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2772 of 2023

Arising Out of PS. Case No.-510 Year-2019 Thana- COMPLAINT CASE District- Supaul

Sanjida Khatoon @ Sanjeda Khatun Wife Of Md. Rizwan R/O Village-
Mohanpur, Katahar, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Rizwan Son Of Md. Jakir R/O Village- Tillitola, Amauna, P.S.- Jogbani,
District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-07-2023 Heard learned counsel for the petitioner, O.P.

No. 2 and learned A.P.P for the State.

The present petition has been filed for
cancellation of bail to the O.P. No. 2 who was granted
bail vide order dated 06.04.2022 passed in Cr. Misc. No.
51464 of 2021.

It is submitted by learned counsel for the
petitioner that without issuing notice and hearing to the
petitioner/complainant, the O.P. No. 2 was granted bail
considering the fact that petitioner is ready to keep the
complainant as wife with full dignity and honour. The



complainant was granted liberty to file a petition and on receiving such a petition, the petitioner was expected to comply the undertaking to keep the complainant as wife with full dignity and honour. It is further submitted that petitioner is not ready to live with O.P. No. 2 since O.P. No. 2 has performed second marriage. The O.P. No. 2 is also not paying the maintenance amount of Rs. 2700/- per month which was allowed by the learned Principal Judge, Family Court, Supaul in Maintenance Case No. 89 of 2019.

It is submitted by learned counsel for the O.P. No. 2 that he is still ready to keep the complainant as wife with full dignity and honour. The petitioner may file appropriate application before learned Court below for not complying the undertaking of giving maintenance amount of Rs. 2700/- per to the petitioner, as order by the learned Court below in Maintenance Case No. 89 of 2019.

Considering the facts aforesaid, this Court is



not inclined to entertain the present cancellation petition.

The petition stands dismissed.

(Sunil Kumar Panwar, J)

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