

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24248 of 2023

Arising Out of PS. Case No.-898 Year-2019 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Shekhar Kumar, Son Of Sunil Kumar Prasad, Resident Of Village Larkanta
Tola Post and P.s & Distt.-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shalini Kumari wife of Shekhar Kumar Mill Road Marshal Gali Nahta
Campus ward no-8 Khagaria Ps- Khagaria, Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Veena Kumari Jaiswal

For the Opposite Party/s : Ms. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

7 18-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No.898C of 2019, registered for the
offence punishable under Sections 341, 323, 498A and 34 of the
Indian Penal Code & Sections 3/4 of D.P. Act.

3. Learned counsel for the petitioner submits that the
petitioner being the husband has been falsely implicated in the
instant case by the complainant. It is next submitted that the O.P.
No.2 runs a beauty parlour and is sustaining herself and the
child. It is further submitted that the O.P. No.2 had approached



the court of competent jurisdiction seeking maintenance and the same was allowed by an order dated 24.03.2021 in Maintenance Case No.79(M) of 2019. It is next submitted that the learned Principal Judge, Family Court, Khagaria had directed the petitioner to pay an amount of Rs.7500/- by way of interim maintenance against which the petitioner has moved this court by filing Civil Misc. No.510/2021 and the same is pending adjudication.

4. The learned counsel appearing on behalf of the O.P. No.2 submits that from narration of facts as pleaded and submitted by the learned counsel appearing on behalf of the petitioner it would manifest that in the year 2019, the O.P. No.2 had approached the court of competent jurisdiction seeking maintenance and interim maintenance was directed to be paid by the learned Principal Judge, Family Court, Khagaria in the year 2021 but not a single penny till date has been paid, thus, one can well imagine the plight of the O.P. No.2 who has to sustain herself along with her child, who is staying with her. It is also submitted that for the last more than five years, the petitioner has not paid a single penny to the O.P No.2 towards maintenance and in garb of judicial proceedings the interim maintenance is not being paid.



5. Considering the submissions made by the learned counsel for the O.P. No.2, the court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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