

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29719 of 2023**

Arising Out of PS. Case No.-1052 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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LALAN KUMAR SON OF DINESH SAH R/O VILLAGE- KACHOR, P.S.-
KANHAULI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANJALI KUMARI WIFE OF LALAN KUMAR R/O VILLAGE-
KACHOR, P.S.- KANHAULI, DISTRICT- SITAMARHI AT PRESENT
D/O SUNIL KUMAR, VILLAGE- DHODHANI, P.S.- PARSAUNI,
DISTRICT- SITAMARHI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-08-2024 None appears for the petitioner. However, learned
counsel for the opposite party No. 2 is present.

2. This application has been filed for quashing the
order dated 17.01.2022 passed in connection with Complaint
Case No-C1-1052 of 2021 by which the Judicial Magistrate 2nd
Class, Sitamarhi took cognizance against the petitioner under
sections 498(a) and 323 of the Indian Penal Code.

3. The petitioner is the husband of the opposite party
No. 2.

4. Learned counsel for the opposite party No. 2 Mr.



Uday Kumar submits that the bail bond of the petitioner has been cancelled because the petitioner has failed to pay the maintenance amount.

6. The maintenance amount has also been fixed by the Principal Judge, Family Court, Sitamarhi. The petitioner is not making any payment of the maintenance amount.

7. I have gone through the records of the case.

8. The allegations are made out against the petitioner. The cognizance order cannot be quashed considering the defence of the petitioner on the affidavit.

9. In these circumstances, this application is dismissed.

(Sandeep Kumar, J)

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