

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60004 of 2023

Arising Out of PS. Case No.-222 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Imran Khan Son Of Meraj Alam Resident Of Mohalla - Masjid Gali Purani
Bazar In Front Of Masjid Masaurahi, P.S. - Masaurahi, District - Patna

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Tamanna Khatoon Wife Of Imran Khan, Daughter Of Md. Sabir Resident Of
Mohalla - Dunkaimli Masjid Gali, Shearshah Road Patna, P.S. - Alamganj,
District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishnakant Upadhyay
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 08-04-2024 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 a case registered
for the offence punishable under Sections 120(B), 323, 341, 498(A)
of the Indian Penal Code & Sections 3/4 of the D.P. Act, pending in
the Court of learned S.D.J.M., Patna City, Patna.
3. Learned counsel for the parties jointly submitted that
the case was referred for mediation but then the mediation failed.
4. Learned for the O.P. No.2 submits that the O.P. No.2
since 2020 has been living separately from the petitioner and in these
four years, the petitioner never paid any amount of maintenance
which amply demonstrates the conduct of the petitioner and the



petitioner enjoyed his life singally in these four years, while the O.P No.2 was completely dependent on her parents. It is also submitted that in the mediation proceedings, an offer was given to the petitioner for one time settlement but then petitioner refused the offer on the ground that he is not in a position to pay one time maintenance. It is next submitted that petitioner has house and property at Masaurhi but when it comes to maintenance or one time settlement he becomes a poor person.

5. The learned counsel appearing on behalf of the petitioner submits that the petitioner is not in a position to either maintain the O.P. No.2 or settle the dispute by way of one time settlement.

6. Considering the submission 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.

7. Accordingly, the anticipatory bail application of the petitioner is hereby rejected.

(Satyavrat Verma, J)

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