

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80952 of 2023

Arising Out of PS. Case No.-83 Year-2020 Thana- KANGLI District- West Champaran

Saddam Khan @ Md. Saddam Khan, Son Of Nejamuddin Khan R/O Village-
Patahi Chowk, P.S.- Baiganiya, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rukhsana Khatoon, Wife Of Saddam Khan @ Md. Saddam Khan, D/O
Julum Khan R/O Village- Bhediharwa, P.S.- Kangli, District- West
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Birendra Kumar
For the Opposite Party/s :	Mr. Ashok Kumar Singh
	Mr. Sharad Kumar Verma
	Mr. Sagar Kumar
	Mr. Hemant Ray

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-04-2024 1. Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The petitioner seeks bail in anticipation of his
arrest in Kangli P. S. Case No.83 of 2020 registered for the
offences punishable under Sections 323, 341, 498(A), 504, 506,
313 and 34 of the Indian Penal Code and Sections 3 and 4 of the
D. P. Act.

3. The learned counsel for the opposite party no.2, at
the outset, submits that the case was referred for mediation, but
then, the mediation failed. It is also submitted that opposite



party no.2, herein, had filed Maintenance Case No.06 of 2021 in the Court of the learned Principal Judge, Family Court, West Champaran, Bettiah wherein final maintenance of Rs.5,000/- was directed to be paid by the petitioner to the opposite party no.2, but then, the said maintenance amount also till date has not been paid. It is further submitted that the petitioner, who is husband of opposite party no.2, is not even willing to maintain her.

4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is a poor person and as such, he is not in a position to pay the maintenance amount. It is also submitted that the maintenance case was decided ex parte by an order dated 21.09.2022, but then, petitioner is contemplating to file an appeal against the order granting maintenance.

5. Considering the submissions made by the learned counsel appearing on behalf of the opposite party no.2 and also fact that mediation has failed and petitioner is not even paying the maintenance amount as directed by the learned Principal Judge, Family Court, Bettiah, West Champaran, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.



6. Accordingly, his prayer for anticipatory bail stands
rejected.

(Satyavrat Verma, J)

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