

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84989 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- DURAULI District- Siwan

BRAJESH PRAJAPATI @ BRIJESH PRAJAPATI @ BRAJESH PANDIT @
BRIJESH PANDIT S/O LATE RADHA MOHAN PRAJAPATI @ RADHA
MOHAN PANDIT R/O VILLAGE- KUMHATI BHITAULI, P.S.-
DARAULI, DISTRICT- SIWAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAINA DEVI W/O BRIJESH PRAJAPATI R/O VILLAGE- KUMHATI
BHITAULI, P.S. DARAULI, DISTRICT- SIWAN, AT PRESENT D/O
LATWE SUCHIT PANDIT, R/O VILLAGE- SISWA, P.S. NAUTAN,
DISTRICT- SIWAN.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP
	Mr. Muskan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-04-2024 1. Heard learned counsel for the petitioner, learned
APP for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The learned counsel appearing on behalf of the O.P.
No.2 submits that petitioner acts beastly, it is next submitted that
the O.P. No.2 presently is eight months pregnant and when she
was carrying a pregnancy of one and a half months since then
she is living with her brother. It is further submitted that O.P.
No.2 has even lost her parents. It is next submitted O.P. No.2 is
staying with her brother for the last about 6-7 months and in
these 6-7 months the petitioner has not paid a single penny to



the O.P. No.2, when he is aware that she is pregnant and requires nutrition, which amply demonstrates his conduct. It is next submitted that one can well imagine the plight of the O.P. No.2 that for the last 6-7 months how she is leading her life being completely dependent on her brother and his wife in absence of any financial support from the petitioner when she is pregnant.

3. The learned counsel appearing on behalf of the petitioner submits that when the case was taken up on the last occasion on 18.01.2024, it was submitted on behalf of the petitioner that from perusal of the allegation as alleged in the FIR, it would manifest that the only allegation against the petitioner was that he is not keeping the informant properly, when he is ready to keep the O.P. No.2 with honour and dignity. Accordingly, notices were issued.

4. Thereafter, the case was again taken up on 21.03.2024 when a specific stand was taken on behalf of the petitioner that petitioner is ready to keep the O.P. N.2 with honour and dignity and the contention of the O.P. No.2 that she is carrying pregnancy of eight months driven out from her matrimonial home was denied, as such, the case was posted for 29.03.2024 for exploring the possibility of settlement.



5. Today when the case is taken up a specific stand has been taken by the O.P. No.2 that she is staying at her brother's place for the last 6-7 months and in absence of any financial support one can well imagine her plight, when she is pregnant.

6. The learned counsel appearing on behalf of the O.P. No.2 at this stage submits that petitioner is only buying time had he being really interested in taking care of the O.P. No.2, in that event he would have at least given her some financial support during the time of her pregnancy, but then the same also has not been done which amply demonstrates his conduct that he does not have even love for the child who is yet to be born.

7. Considering the submission made by the learned counsel appearing on behalf of the O.P. No.2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. According, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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