

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4605 of 2024**

Arising Out of PS. Case No.-34 Year-2019 Thana- MAHILA PS District- Darbhanga

Neetu Devi @ Neetu Kumar, wife of Amit Ranjan, D/o Kusheshwar Poddar  
R/o vill. - Chandanpatti PO - Saramohanpur PS - Sadar Dist. - Darbhanga  
... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit Ranjan son of Lt Yogeshwar Poddar R/o vill-New Colony Khaja Sarai  
P.O. + PS-Lehariasarai Dist - Darbhanga

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nand Sagar, Advocate  
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

7      02-09-2024                      1. Heard learned counsel for the petitioner and Mr.  
Chandra Bhushan Prasad learned A.P.P. for the State.

2. The present cancellation application has been filed  
for cancellation of anticipatory bail granted to the opposite party  
no. 2 vide order dated 31.03.2022 passed in Cr. Misc. No. 16545  
of 2020 by the then learned Coordinate Bench of this Court in  
connection with Darbhanga Mahila P.S. Case No. 34 of 2019.

3. Learned counsel for the petitioner submits that  
from office report dated 20.03.2024, it would manifest that the  
same recorded that the ordinary notice was hung on the door of  
the house of the opposite party no. 2, but since the opposite  
party no. 2 did not appear as such the case was directed to be  
listed thereafter. The office report dated 09.05.2024 further



recorded that registered cover notice returned undelivered with a note “addressee is absent”, hence, again notices were issued by order dated 28.06.2024 which was received by the mother of the opposite party no. 2 as recorded in the office report dated 08.08.2024, hence, the learned counsel appearing on behalf of the petitioner was directed to file a jointness application.

4. Learned counsel appearing on behalf of the petitioner submits that in compliance of the order dated 27.08.2024 a jointness application has been filed. Learned counsel further submits that the conduct of the opposite party no. 2 amply demonstrates that he has no regard for the orders of this Court. It is next submitted that opposite party no. 2 was granted the privilege of anticipatory bail by an order dated 31.03.2022 passed in Cr. Misc. No. 16545 of 2020, further, at the time when anticipatory bail of opposite party no. 2 was being considered by the then learned Coordinate Bench of this Court a submission was made on behalf of the opposite party no. 2 by his learned counsel that opposite party no. 2 is ready to pay Rs.3,40,000/- in three installments as arrears of interim maintenance as well as an amount of Rs.15,000/- per months by way of maintenance. Further, the order dated 31.03.2022 passed in Cr. Misc. No. 16545 of 2020 recorded the manner in which



Rs.3,40,000/- and Rs.15,000/- is to be paid.

5. Learned counsel appearing on behalf of the petitioner submits that in compliance of the order dated 31.03.2022 the opposite party no. 2 cleared the arrears of maintenance of Rs.3,40,000/- and thereafter also made some payment to the petitioner but from 31.05.2023 not a single penny has been paid towards maintenance to the petitioner as would manifest from the bank statement of the petitioner annexed as Annexure-4 to the cancellation application. It is further submitted that petitioner has to take care of the child also who is staying with her but then opposite party no. 2 after obtaining anticipatory bail is leading a happy life but then petitioner in absence of financial support is not in a position even to meet the ends. It is next submitted that on account of financial strain the child also till date has not been admitted in any school. It is also submitted that it appears that opposite party no. 2 has scant regards for the orders of this Court and this perhaps explains why he chooses not to appear and contest.

6. Learned A.P.P. for the State also is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner.

7. Considering the submissions made by the learned



counsel appearing on behalf of the petitioner, the anticipatory bail granted to the opposite party no. 2 by an order dated 31.03.2022 passed in Cr. Misc. No. 16545 of 2020, is hereby cancelled.

8. Hence, the application stands allowed.

**(Satyavrat Verma, J)**

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