

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15358 of 2015

Arising Out of PS.Case No. -332 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Ranjeet Kumar Rana @ Ranjit Kumar @ Ranjeet Kumar S/o Ashok Prasad
Rana R/o Bajrang Talkies Road, Ward No,. 19, Sitamarhi town, P.s -
Sitamarhi, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lovely Kumari D/o Ramashanker Prasad R/o Mohalla- Bata Gali,
Hospital Road, P.S. - Sitamarhi Town, District sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03/ 21-08-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under
Section 498A of the Indian Penal Code.

The basic accusation is of torture.

The marriage between the petitioner and the
complainant on 22.04.2013 is admitted.

It is submitted by learned counsel for the
petitioner that on 26.07.2013 during the pathological



examination of the complainant it was found that she is carrying pregnancy of 18 weeks 4 days and ultimately the complainant gave birth to a female child on 15.12.2013. Consequently the petitioner filed Matrimonial Suit No. 126 of 2013 for annulment of marriage on 19.08.2013 wherein complainant received the notice on 19.02.2014 and thereafter on 22.02.2014 the present complaint has been lodged. Hence, it is submitted that the petitioner at present is not in a position to reconcile the issue.

Learned counsel for the complainant submits that the accusation levelled by the petitioner for filing matrimonial suit is absolutely malicious.

However, learned counsel for the petitioner submits that the petitioner is ready to pay Rs.1,000/- per month from September, 2015 to the complainant by depositing the same in her account by second week of every month.

The counsel for the complainant submits that the complainant is ready to accept the offer and undertakes to submit the bank account number by filing the same on affidavit before the learned court below within a period of two weeks.

Considering the fact that the matrimonial case



was lodged at earlier point of time by the petitioner and the stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. C1/332 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J.)

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