

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34745 of 2015

Arising Out of PS.Case No. -473 Year- 2014 Thana -GANDHIMAIDAN District- PATNA

=====

Shashi Bhushan Ranjan Son of Shiv Bachhan Prasad

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rinki Devi wife of Shashi Bhushan Rajan

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

6 07-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 498A/363/341/342/323/307/504/506/34 of the Indian Penal Code.

The accusation is of torture, making assault and made an attempt to kidnap the informant.

It is submitted by learned counsel for the petitioner that petitioner denies the factum of marriage. He further claims that the informant has lodged altogether six cases with similar accusation such as i) *Dehri P.S. Case No.578/09 under sections 498A/506/34 of the Indian Penal Code*, (ii) *Complaint Case No.318 of 2010 under section 498A of the Indian Penal Code*, (iii) *Dehri P.S. Case No.266 of 2010 under sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act* (iv)



Shastrinagar P.S. Case No.717 of 2014 under sections 498A/341/323/307/34 of the Indian Penal Code (v) Nasriganj P.S. Case No.168 of 2014 and, (vi) Gandhi Maidan P.S. Case No.473 of 2014 under sections 498A/363/341/307/504/506/34 of the Indian Penal Code" and out of six cases, three cases have been lodged within a month. Learned counsel for the petitioner further submits that the informant has lodged altogether 12 cases against the petitioners and others and the petitioner is making payment of Rs.750/- *per month* to the informant opposite party no.2 in pursuance to the order passed in connection with Dihrinagar P.S. Case No.266 of 2010 vide Criminal Miscellaneous No.16347 of 2015. Learned counsel for the petitioner further submits that Complaint Case No.1252 C of 2015 has been filed by Shiv Narayan Rai, who is a witness in the complaint filed by the informant opposite party no.2 against the petitioner but in the said complaint enquiry is going on.

It is submitted by learned counsel for the informant that the petitioner has chequered career and petitioner has performed four marriages. The informant claims that she was married with the petitioner and has a child also out of the wedlock. It is further submitted that the informant is not getting the amount of Rs.750/- as directed vide order dated 28.05.2015 passed in Criminal

Miscellaneous No.16347 of 2015.

Considering the factum of marriage in dispute and six cases lodged by the informant with similar accusation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Patna in connection with Gandhi Maidan P.S. Case No.473 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted by the learned court below on submission of substantial proof with regard to deposit of upto date maintenance amount of Rs.750/- before the concerned court.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--