

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7105 of 2016

Complaint Case No. -1339 Year- 2013 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Rajesh Ranjan S/o Bhupendra Yadav,

.... Petitioner/s

Versus

1. The State of Bihar

2. Usha Devi W/o Rajesh Ranjan, D/O Laxmi Yadav,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016

Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the complainant is languishing in custody since 11.12.2015 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand. The petitioner's earlier application for anticipatory bail was rejected since the petitioner denied birth of child from the wedlock but through DNA matching it was found that the child is of the petitioner.

It is submitted by learned counsel for the petitioner

that the petitioner has filed Matrimonial Suit No. 118/2013 with a prayer for divorce though subsequent to filing of the complaint.

It is submitted by learned counsel for the complainant that the petitioner forced for DNA matching of the child which also amounts to torture and when it was found that DNA of the child matched with the DNA of the petitioner then provisional bail of the petitioner was not confirmed.

Considering the nature of accusation, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura in connection with Complaint Case No.1339/2013.

Learned court below will be at liberty to cancel the bail bond of the petitioner, if he defaults for three consecutive occasions to appear in the present case or any other case arising out of matrimonial discord between the petitioner and the complainant.

(Dinesh Kumar Singh, J)

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