

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11058 of 2016

Arising Out of PS.Case No. -2349 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Mausam Kumar Ranjan @ Mausam Kumar Son of Bijendra Kumar Das
Resident of Shivpuri , Carbon Factory, Boring Road, P.s Shastri Nagar,
District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranjana Kumari Wife of Mausam Kumar Ranjan, Daughter of Sudama Prasad, Resident of Village- Raghunathpur P.S. Raghunathpur District Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 14-12-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the complainant has renewed his prayer for anticipatory bail in a complaint cased wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 406/34 of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non-



fulfillment of the dowry demand.

Earlier the prayer for anticipatory bail of the petitioner was disposed of since the petitioner failed to accept the offer of the complainant to resume the conjugal life.

It is submitted by learned counsel for the petitioner that the petitioner declined to accept the offer of the petitioner since the complainant is not the same girl who was approved by the petitioner prior to the marriage. Moreover, an informatory petition was filed by the petitioner prior to the lodging of the complaint which was not brought to the notice of the Court at earlier occasion.

Considering the marriage between the petitioner and the complainant subsists till the marriage is annulled by a competent court, hence the petitioner has to maintain the complainant. In the circumstances, this Court is not inclined to entertain the present second anticipatory bail application.

Let the learned court below consider the prayer for bail of the petitioner without being prejudiced by the order of this Court, if the petitioner surrenders before the learned court below within a period of four weeks from today in connection with Complaint Case No. 2349 of 2014 pending in



the court of learned Sub-divisional Judicial Magistrate, Siwan.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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