

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46313 of 2015

Arising Out of PS.Case No. -72 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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Ranjit Kumar Singh @ Ranjeet Singh Son of Madan Mohan Singh resident
of Village- Bhelanari, P.S.- Govindganj, District- East Champaran at
Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lakshmi Kant Sharma, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Govindganj P.S. Case No. 72 of 2014 for the offences
instituted under Sections 302, 498A, 201 and 120B/34 of the
Indian Penal Code.

As per prosecution case that the informant married his
daughter Priti Kumar @ Tunni Singh on 19.06.2005 with
petitioner and petitioner and her in-laws used to torture for golden
chain and motor cycle in dowry and the informant used to go and
pacify the matter. On 19.05.2014 the informant received informant
that his daughter is not in her *sasural* and her *sasural* people are

absconding then the informant went there and found the matter correct and gave a *sanha* on 20.05.2014.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The alleged date of occurrence is 19.05.2014 and the FIR vide Annexure-1 was instituted on 31.05.2014. There is no explanation on the part of the prosecution in respect to delay in lodging of the FIR. From perusal of Annexure-2, it is evident that a complaint case was filed by the petitioner in respect to missing of his wife since 19.05.2014. It has been submitted in para-4 of the said complaint case that the petitioner had approached the police and given a *Sanha* on the very next day, i.e., on 30.05.2014 in respect to missing of his wife but no action was taken on the part of the police, hence ultimately on 29.05.2014 a complaint case was filed by him. The said complaint case was referred under Section 156(3) of the Cr.P.C. and FIR was instituted. It is evident that prior to institution of the present case, i.e., on 31.05.2014 a complaint case was already filed by the petitioner on 29.05.2014 and a *Sanha* was also made to the police on 20.05.2014 in respect to missing of his wife since 19.05.2014.

On behalf of the State, it has been submitted that the alleged occurrence is said to have taken place after eight years of

marriage and petitioner is the husband of the said missing lady/deceased.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Govindganj P.S. Case No. 72 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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