

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45071 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Ranjit Sah @ Ranjeet Singh, Son of Mukteshwar Sah @ Mukteshwar Sag
Sah R/o Village- Mahuari, P.O. Upari, P.S. Ramgarh, District kaimur
Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi Wife of Sri Ranjit Sah, D/o Sri Daroga Sah Resident of
Village Mahuari, P.O. Upari, P.S. Ramgarh, District Kaimur Bhabua,
Presently residing at Village Karmahari, P.O. Katra, P.S. Mohania,
District Kaimur (Bhabhua)

.... Opposite Party/s

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with

Criminal Miscellaneous No.43528 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Mukteshwar Sah @ Mukteshwar Sag S/o late Shivdeni Sah R/o Village-
Mahuari, P.O. Upari, P.S. Ramgarh, District kaimur Bhabua.

.... Petitioner/s

Versus

3. The State of Bihar
4. Punam Devi Wife of Sri Ranjit Sah, D/o Sri Daroga Sah Resident of
Village Mahuari, P.O. Upari, P.S. Ramgarh, District Kaimur Bhabua,
Presently residing at Village Karmahari, P.O. Katra, P.S. Mohania,
District Kaimur (Bhabhua)

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45071 of 2016)

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

(In Cr.Misc. No.43528 of 2016)

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Sri Bharat Lal

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

ORAL ORDER



03/ 15-12-2016

Heard learned counsels for the petitioners, State and the opposite party no.2-complainant.

The petitioner of Cr. Misc. No. 45071 of 2016 being the husband of the complainant and petitioner of Cr. Misc. No. 43528 of 2016 being the father of the husband of the complainant are apprehending their arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 354B of the Indian Penal Code.

The basic accusation is of torture. It is specifically alleged against the father of the husband of the complainant that he outraged the modesty of the complainant.

It is submitted by learned counsel for the petitioners that the petitioner Ranjit Sah @ Ranjeet Singh admits his marriage with the complainant having no issue and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition, which reads as follows:-

“That the petitioner is husband of the complainant Punam Devi and he is always ready to keep her with full dignity and honour of wife.”

It is further submitted that petitioner Ranjit Sah @ Ranjeet Singh filed Matrimonial Suit No. 06 of 2016, though



subsequent to filing of the complaint, for restitution of conjugal rights.

It is submitted by learned counsel for the complainant that the complainant is ready to accept the offer of petitioner Ranjit Sah @ Ranjeet Singh.

It is further submitted by learned counsel for the petitioner that the petitioner will go to the matrimonial house on 16.01.2017 and will bring back the complainant to her matrimonial house.

Considering the present stand of petitioner Ranjit Sah @ Ranjeet Singh and the complainant, let the above named petitioner of Cr. Misc. No. 45071 of 2016 be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 13 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of petitioner Ranjit Sah @ Ranjeet Singh will be confirmed by the learned court below in



three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

Considering the present stand of petitioner Ranjit Sah @ Ranjeet Singh and the complainant and the submission of the counsel for the petitioner that accusation of outraging modesty has been levelled maliciously, let the above named petitioner of Cr. Misc. No. 43528 of 2016 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 13 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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