

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44218 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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Ranjeet Prasad @ Ranjeet Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-02-2016 Since the informant has already appeared hence the
matter is being taken up for admission.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 420, 406, 313 and 506/34 of the Indian Penal Code.

The basic accusation is of torture and getting the pregnancy terminated.

The petitioner and opposite party no.2 are present.

It is submitted by learned counsel for the petitioner that the petitioner denies the factum of marriage.

It is submitted by learned counsel for the informant that the informant performed marriage with the petitioner in a temple and subsequently pregnancy of the informant got terminated at the

instance of the petitioner.

Considering the fact that the factum of marriage is in dispute, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, East Champaran, Motihari in connection with Mahila (Motihari) P.S. Case No. 55 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below conduct an enquiry with regard to factum of marriage between the parties and if the learned court below comes to the conclusion that marriage between the parties has never been performed then the provisional bail of the petitioner will be confirmed but if the learned court below comes to the conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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