

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26532 of 2016

Arising Out of PS.Case No. -672 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ranjit Kumar @ Ranjit Rai, S/o Suresh Prasad, Resident of Village -
Chhaperata, P.S- Pandarak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Rinku Devi D/o Rajnandan Prasad, resident of village-
Chjhabiltar, P.S Pandark, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 13-12-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner was kidnapped and was forcibly married with the complainant for which Complaint Case No. 240C of 2012 was filed by the petitioner against the complainant's family on 01.05.2012 levelling accusation under Sections 365, 342, 506, 343 of the Indian Penal Code and Section 27 of the Arms Act wherein process were directed to be issued after cognizance being taken but the complainant's



family were granted bail in that case and thereafter the present complaint has been filed on 11.09.2014.

It is submitted by learned counsel for the complainant that marriage between the petitioner and the complainant is not in dispute and so long the marriage subsists, the petitioner is liable to maintain the complainant.

It is submitted by learned counsel for the petitioner that though the petitioner is still pursuing the studies but keeping in view of the fact that marriage is not denied, the petitioner is ready to make payment of Rs. 800/- per month to the complainant from January, 2017 by depositing the same in the bank account of the complainant by second week of every succeeding month.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner and undertakes to supply her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the complaint filed by the petitioner where forceful marriage after kidnapping has been alleged prior to lodging of the present case and the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two



sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh in connection with Complaint Case No. 672(C) of 2014.

The above payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner.

The present order, in no way will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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