

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26053 of 2017

Arising Out of PS.Case No. -63 Year- 2016 Thana -MAHILA P.S. District- NAWADA

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Ranjeet Kumar @ Ravi @ Ranjeet Kumar Ravi Son of Sri Ram Chandra
Sao, resident of Mohalla- Indira Chowk, Nawada, Police Station- Nawada
Town in the district of Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned Additional Public
Prosecutor for the State.

Petitioner is languishing in judicial custody since
31.03.2017 in connection with Nawada Mahila P.S. Case No. 63
of 2016 registered for the offences punishable under Sections
498A, 341, 323, 313, 307, 379 and 504/34 of the Indian Penal
Code and Sections 3/ 4 of the Dowry Prohibition Act.

The prosecution case, as lodged by the wife of the
petitioner, namely, Nitu Kumari, is that her husband is a constable
in C.R.P.F. posted in Jammu & Kashmir and she is compelled to
stay in her matrimonial home where the petitioner and all other
family members subject her to torture for non-fulfilment of dowry



demand.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. In fact, he had filed Matrimonial Case No. 16 of 2016 under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, but the informant stayed for a few days with him and fled away from her matrimonial house. It has further been submitted that he is ready and willing to keep his wife with full dignity and honour, but since the situation in Jammu & Kashmir is not cordial, it is dangerous to keep her there.

However, learned counsel for the informant opposes the prayer for bail stating therein that she has been subjected to torture and harassment for dowry, but she is ready to live with the petitioner at his place of posting. Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Nawada in connection with Nawada Mahila P.S. Case No. 63 of 2016, subject to the condition that if the petitioner is posted outside Jammu &



Kashmir, he will keep his wife with him at his place of posting and in the meantime, he will keep his wife with full dignity and honour at her matrimonial home. Learned counsel for the informant also undertakes that the informant will stay at her matrimonial home till the petitioner is transferred from Jammu & Kashmir. If the said undertaking is not honoured by the petitioner, learned Court below will be at liberty to cancel his bail bonds.

(Nilu Agrawal, J.)

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