

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38477 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

=====

Ranjeet Ishwar @ Ranjeet Iser, Son of Late Damodar Ishwar, Resident of Village/ Mohalla- Sadipur Ghat, P.S.- Khanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Saroj Chaudhary, Son of Late Sita Ram Chaudhary, Resident of Village – Lagunia Ragukanth, P.S. Muffasil, District – Samastipur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Dinesh Singh

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 31-10-2017

Heard learned counsels for the petitioner, informant-opposite party no. 2 and the State.

The petitioner, being the husband of the daughter of the informant, is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 364A and 365 of the Indian Penal Code.

The prosecution case is that the marriage of informant's daughter Khusboo Kumari was performed with the petitioner on 30.05.2009. Since the daughter of the informant did not bear any child, the in-laws including the petitioner used to torture the daughter of the informant and demanded Rs.1,00,000/- and a motorcycle and for non-fulfillment of the said demand they



inflicted torture upon the daughter of the informant. On 17.03.2017, the accused persons have got the daughter of the informant disappeared and her whereabouts is still not known.

It is submitted by learned counsel for the petitioner that since the daughter of the informant could not bear any child, so she left the house of the petitioner of her own on 17.03.2017 in a state of depression. The petitioner intimated to the police regarding disappearance of the daughter of the informant. Moreover, with similar accusation Ghanshyam Iswar, the father of the petitioner, has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 31444 of 2017.

It is submitted by learned counsel for the informant and the State that the petitioner is the husband of the daughter of the informant and a Sanaha was lodged by the petitioner after lodging of the present FIR, hence, the conduct of the petitioner is doubtful. However, learned APP after going through the case diary submits that the witnesses have deposed that the daughter of the informant has left the house of the petitioner under depression. However, since the petitioner is the husband of the victim, hence, the thrust of accusation is against him.

Considering the rival submissions of the parties,



this Court is not inclined to grant anticipatory bail to the petitioner in connection with Khanpur P.S. Case No. 33 of 2017 pending in the Court of learned Additional Chief Judicial Magistrate-III, Samastipur. However, in view of the fact that the investigation has not been concluded and the witnesses have also not supported the prosecution case, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned Court below within a period of six weeks from today.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

