

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30051 of 2019**

Arising out of P.S. Case No.-1380 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Ranjeet Kumar, Son of Rajendra Prasad, Resident of Ichipur, P.S.- Dulhin
Bazar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Chanchal Devi, Wife of Ranjeet Kumar, Presently residing at village -
Dadupur, P.O. and P.S.- Bikram, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-08-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 1380 of 2015, disclosing

offences under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of subjecting the
complainant-wife to torture and harassment. Further, allegation
is that complainant has suspicious that petitioner has an illicit
relationship with the wife of his brother.

Submission of learned counsel for the petitioner is
that the whole allegation is false and concocted and series of
litigation is going on between the parties and a divorce petition
has also been filed by the petitioner, due to that, she has filed the
present case. Earlier, also he tried to keep her, but she again left
his house, making allegation of torture and harassment and as



such, in such a situation, there is no chance to reside together.

Heard learned counsel for the opposite party no.2 also, who has submitted that she has already appeared in divorce case and filed an application u/s 24 of the Hindu Marriage Act in divorce case filed by the petitioner. The petitioner left pairvi in that case, as such, petitioner is not interested in any solution.

Having heard both sides, in view of the submission and counter submission, it appears that there is no chance to settle the dispute between them. Let the petitioner, above named, surrender before the learned court below by 19.08.2019 on condition that he is ready to pay Rs.4000/- per month to the opposite party no.2 for her maintenance and her children for a period of one year or till the petition under Section 24 of the Hindu Marriage Act filed by the opposite party no.2 in divorce case, filed by the petitioner is decided, the petitioner shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of A.C.J.M.-VI, Danapur, District Patna, in connection with Complaint Case No. 1380 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.



It is also made clear that failure to payment of maintenance continuously for three months, the opposite party no.2 shall be at liberty to move for cancellation of the bail bonds of the petitioner before the court below itself.

At the same time, the learned Principal Judge is directed to pass an order on the petition filed by the opposite party no.2 under Section 24 of the Hindu Marriage Act in Divorce Case No. 490 of 2015 within a period of six months.

Needless to say that petitioner shall co-operate in disposal of the petition under Section 24 of the Hindu Marriage Act filed by the opposite party no.2 in divorce case, filed by him.

Let copy of this order be also sent to the learned Principal Judge, Family Court, Patna, for needful.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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