

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39321 of 2019**

Arising Out of PS. Case No.-1255 Year-2018 Thana- PATNA COMPLAINT CASE District-  
Patna

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PREM RANJAN S/o Mathura Prasad R/o Mohalla- Sakari Gali,  
Allabhakshpur, P.O.- Gulzarbag, P.S.- Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rakhi Sinha W/o Prem Ranjan, D/o Late Jagat Nandan Prasad At present  
residing at Mohalla- Parwati Niwas, Kadam Kuan, P.O. and P.S.- Kadam  
Kuan, District- Patna- 800003

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Sharma  
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

5      16-11-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences alleged  
under Section 498(A) of the Indian Penal Code and Section 4 of the D.P.  
Act registered in connection with Complaint Case No. 1255(c) of 2018.

3. It is submitted that the petitioner has been falsely implicated  
in a complaint case filed on 27.03.2018 about six months after he filed  
for divorce in Matrimonial Case No. 1005(M) of 2017. It is submitted  
that in any event this is the first complaint of its nature since the  
parties were married more than six years ago on 13.07.2013. It is  
submitted that attempts of reconciliation in course of mediation has  
also failed. The OP No. 2 has filed for maintenance under Section 24 of  
the Hindu Marriage Act, which is pending. The petitioner claims clean  
antecedents.

4. Learned counsel for the complainant-opposite party no. 2  
appears and has been heard. She expresses her willingness to live with  
the petitioner and submits that the petitioner refused to resolve the



differences during mediation.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Patna in connection with Complaint Case No. 1255(c) of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/-

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