

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 14169 of 2020**

Arising Out of PS Case No.-50 Year-2019 Thana- MAHILA PS District- Banka

Ranjan Kumar Singh, aged about 30 years (M) Son of Late Bateshwar Singh  
Resident of Village - Maheshpur, P.S.- Tarapur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                            |
|----------------------|---|--------------------------------------------|
| For the Petitioner/s | : | Mr. Sanjeev Kumar @ Deepak Sahay, Advocate |
| For the State        | : | Mr. Md. Arif, APP                          |

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 11-01-2021**

Heard Mr. Sanjeev Kumar @ Deepak Sahay, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner had moved the Court for bail in Mahila PS Case No. 50 of 2019 dated 14.09.2019, instituted under Sections 493/376/313 of the Indian Penal Code. Earlier he was released on provisional bail in view of the stand taken that he would marry the opposite party no. 2, but the same could be done only after he was released.

3. Pursuant to order dated 26.11.2020, the Superintendent of Police, Banka has filed a report dated



01.01.2021, after completing the exercise which was entrusted to him. The same reads as under:

*“1. That I am present posted as S.P., Banka, and I am well acquainted with the facts and circumstances of the case.*

*2. That on 26.11. 2020, Hon’ble Court passed order in aforesaid case in connection with Mahila (Banka) P.S. Case No. 50 of 2019 and directed the Superintendent of Police, Banka to set up a team for locating the petitioner and the informant, upon doing so, their statements would be recorded and video graphed and copy/ transcript of the same shall be brought on record by means of an affidavit affirmed by the Superintendent of Police, Banka himself.*

*3. That in the light and compliance of aforesaid order passed by Hon’ble High Court, Patna the Superintendent of Police, Banka set up a team vide memo No. 85/Legal, dated 28.11.2020 under leadership of the Sub-Divisional Police Officer, Banka Sri Dinesh Chandra Srivastava along with members as follows:-*

*1. Police Inspector, Vakil Prasad Yadav, Circle Inspector, Banka.*

*2. Police Inspector, Shambhu Yadav, In-charge.C.C.M.U. Cell, Banka.*

*3. S.I. Umesh Prasad, S.H.O., Shambhuganj.*

*4. S.I. Rita Kumari, Investigating Officer of Mahila P.S. Case No. 50/2019 and ordered to all members of said team to locate the accused Ranjan Kumar Singh, Son of Late Baleshwar Singh aged about 30 years, resident of Village- Maheshpur, Police Station- Tarapur, District- Munger and the informant Kusum Kumari, resident of Village- Lakah, Police Station- Shambhuganj, District- Banka immediately and further to record their statements with videography.*



4. That in compliance of aforesaid order/directions, the S.H.O., Shbhuganj, S.I. Umesh Prasad informed the Superintendent of Police, Banka vide D.R. N. 1071/2020 dated 02.12.2020 of Shambhuganj P.S. that members of said constituted team reached at Kushwaha Colony, Tarapur P.S. Case No. 50/2019 U/s. 493/376/313 I.P.C. statements of accused Ranjan Kumar Singh recorded by S.I. Umesh Prasad and informant Kusum Kumari's statement recorded by S.I. Rita Kumari recorded with videography separately, who were living in a rental house there.

Further he sent the recorded statement of the petitioner, accused Ranjan Kumar Singh and informant Kusum Kumari along with C.D. of Video recording for perusal.

5. That the Superintendent of Police, Banka perused the recording statement of the petitioner accused Ranjan Kumar Singh and informant Kusum Kumari along with C.D. of Video recording sent by the S.H.O., Shambhuganj Police Station and found that the petitioner Ranjan Kumar Singh released on bail on 18.06.2020 and took marriage with the informant Kusum Kumari on 20.06.2020 at Teldiha Temple willingly and now the petitioner Ranjan Kumar Singh and informant Kusum Kumari both are living conjugal life in Kuswaha Colony, Tarapur happily. The informant has no complain in this regard.

6. That the Superintendent of Police, Banka has complied the direction of this Hon'ble High Court.

7. That all aforesaid facts are based on the basis of office record available in the Police Office, Banka.

8. That contents of the counter affidavit is read over to me and understood the same which is true to my knowledge and information.

9. That the annexures are true Photo copies of their respective originals."



4. Learned counsel for the petitioner submitted that the petitioner and the informant are happily living together and the Court may allow the application.

5. Learned APP submitted that conditions be put on the petitioner to keep the informant with full dignity, honour and security.

6. Having regard to the aforesaid, the provisional bail granted to the petitioner earlier by order dated 12.06.2020, stands confirmed, subject to the condition that the petitioner appears before the Court below within four weeks from today and further, with the condition that the bailors and the petitioner shall execute bond with regard to his good behaviour and further undertaking shall be given before the Court by the petitioner that he shall keep the informant as his wife along with him wherever he lives with full dignity, honour and security and shall take care of all her needs, and that she would be free to talk to, meet or visit any person she desires, without any let or hindrance by the petitioner or his family members. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The informant shall also be at liberty to file an application before the Court below in case of any breach of the terms and conditions of the bonds or the undertaking. If such a



petition is filed, the Court below, after giving opportunity of hearing to the petitioner, shall pass appropriate reasoned order, latest within one month from the date of filing of the petition. If it is found that the grievance of the informant against the petitioner is correct, his bail bonds would be cancelled.

7. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

Anand Kr.

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