

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42236 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- MAHILA P.S. District- Munger

RAJAN KUMAR RANJAN @ RANJAN KUMAR Son of Jarman Mahto
Resident of Village - Mogal Bazar, P.s.- Kotwali (Basudeopur OP), Distt.-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP.
For the Informant/s : Mr. Nawal Kishore singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 8 24-04-2023 1. Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.
3. Petitioner seeks regular bail in connection with Mahila P.S. Case No. 41 of 2021 dated 04.12.2021 registered for the offences punishable under Sections 498(A), 341, 323, 504, 506 and 354/34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.
4. The main submissions advanced by petitioner's counsel are that the petitioner is husband of the informant and



he has been granted provisional bail by this Court order dated 21.09.2022 and he is still on provisional bail and in between the petitioner and his wife, mediation has been made by the mediator but the disputes cannot be resolved and it is the informant herself, who does not want to live in the company of the petitioner and she earlier committed atrocities to the family members of the petitioner, who has liabilities towards his widow sister who is living in the petitioner's house with three children and the marriage of the informant with this petitioner took place in the year 2013. Further submissions are that the petitioner is a government employee and serving as a member of Border Security Force since 2011 and on the alleged day of occurrence as mentioned in the FIR, he was present at his duty place and in this regard the relevant certificate has been issued by his office and the same has been filed as Annexure-4.

5. Learned counsel for the informant has vehemently opposed the bail prayer of the petitioner and submitted that the petitioner has illicit relationship with another woman and he is not fulfilling his responsibility towards the informant and his two children and even he is not providing any maintenance to them.

6. Learned APP appearing for the State has also



opposed the bail prayer.

7. Having regard to the facts and circumstances of this case and mainly the facts that the petitioner is a government employee and presently serving in Border Security Force and as per the submission of informant's counsel, the informant has filed a maintenance case against the petitioner which is running and the marriage of the petitioner with the informant took place in the year 2013, in my opinion the petitioner is entitled to the confirmation of privilege of provisional bail. Accordingly, the privilege of provisional bail granted to the petitioner vide order dated 21.09.2022 is hereby confirmed on the same bail bond taken under the said order.

Accordingly, the instant petition stands allowed.

(Shailendra Singh, J)

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