

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59761 of 2023

Arising Out of PS. Case No.-431 Year-2015 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Ranjeet Safi, Son Of Late Chalitar Safi, Resident Of Village - Pastan, P.S. -
Andrathadhi, District - Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mamta Devi, Wife Of Ranjit Safi, Resident Of Village - Pastan, P.S. -
Andrathadhi, District - Madhubani, At Present Daughter Of Sukdeo Safi,
Resident Of Village - Bhargama, P.S. - Bheja, District - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-12-2023 Heard Mr. Ratnakar Jha, learned counsel appearing

on behalf of the petitioner and the learned Additional Public

Prosecutor for the State.

2. The petitioner happens to be husband of opposite
party no.2, apprehends his arrest in connection with C.R. Case
No. 431 of 2015, registered for the offences punishable under
Sections 323, 341, 498(A) of the Indian Penal Code and ³/₄
Dowry Act.

3. It is alleged that the marriage of the petitioner was
solemnized with the opposite party no. 2 on 07.03.2014,
however, soon after the marriage she was subjected to demand
of dowry and on account of non-fulfillment of the same, she was



tortured in various ways and ousted from her matrimonial home.

4. It is submitted on behalf of the petitioner that the allegation made in the FIR is quite incorrect and, in fact, it is the opposite party no. 2, who herself deserted the petitioner and as per his instruction, she has also solemnized marriage with another person.

5. Taking note of the aforesaid submission earlier notice was issued to the opposite party no. 2 however, despite valid service of notice, she did not enter her appearance.

6. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation has been leveled against the petitioner, who is none else but the husband of the opposite party no. 2.

7. Regard being had to the submissions made on behalf of the parties and considering the factum of matrimonial dispute and the general and omnibus nature of allegation and the fact that despite notice, the opposite party no. 2 chose not to appear before this Court, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate, Jhanjharpur in connection with C.R. Case
No. 431 of 2015, subject to the conditions laid down in Section
438(2) Cr.P.C. with the further condition that one of the bailors
shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

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