

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1310 of 2021

Arising Out of PS. Case No.-218 Year-2008 Thana- DEHRI TOWN District- Rohtas

NITAM KUMARI Wife of Vinay Kumar Singh R/o Vill. - Khodeya, Ararua,
P.S.- Karahagar, District – Rohtas ... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Home Department, Government of Bihar
3. The Director General of Police, Government of Bihar, Bihar
4. The Inspector General of (Prison), Govt. of Bihar, Patna, Bihar
5. The Jail Superintendent, Kendriya Kara, Buxar, Bihar ... Respondents

Appearance :

For the Petitioner : Mr.Rajiv Ranjan Kr. Pandey, Adv.
For the Respondents : Mr.Pawan Kumar, AC to AG

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and the State.

The present writ petition has been filed seeking direction to grant leave of 90 days to the husband of the petitioner, who is a convict for life imprisonment vide judgment and order, dated 14.06.2011/15.06.2011 for the offence under Section 364A of the Indian Penal Code on the ground of medical treatment and arrangement of livelihood.

Counsel for the petitioner relied on a judgment passed by this Court in the case of Ranjeet Patel Vrs. State of Bihar & Ors. (Cr.W.J.C. No. 1868 of 2019, decided on 12.10.2020).

After hearing the submissions of the parties and going through the judgment, it transpires to this Court that the said judgment is not applicable in the present case due to the reason



that the petitioner of said case was already married prior to acquisition of her husband. Here in the present case the marriage was solemnized after acquisition of the husband of the petitioner.

In this view of the matter, the present petition is **dismissed**.

(Dr. Anshuman, J)

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