

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21470 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- HILSA District- Nalanda

Ravi Ranjan Kumar @ Guddu Kumar @ Guddu S/o Parmanand Singh @
Parmanand Prasad R/o vill - Gokul Chak Milki (Gokhulpur Milki), P.s. -
Hilsa, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kumar Kaushik, Advocate
For the Opposite Party/s :	Mr.Umesh Lal Verma, APP
	Mr. Binod Kumar Singh, Advocate
	Mr. Satrudhan Kumar, Advocate
	Mr. Ravi Shanker Pankaj, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner, learned as well as learned APP for the State and the learned counsel appearing on behalf of the O.P. No.2.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 354 and 292 of the IPC and Section 67 of the I.T. Act in connection with Hilsa P.S. Case No.331 of 2023.

3. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant was married to one Shailesh Kumar in the year 2001 and out of the wedlock two children were born who presently are aged about 18 and 14 years. It is further submitted that the informant in the year 2019



had filed Complaint Case No.499 of 2019 under Section 498(A) of the IPC read with other sections against her husband Shailesh Kumar and others. It is next submitted that on 30.03.2019 a piece of land was purchased from Ram Sinhasan Prasad in the name of Harsh Raj, Hansh Raj sons of Shailesh Kumar and the informant vide registered Sale Deed No.2258. It is submitted that from perusal of the sale deed it would manifest that the name of the informant is also recorded in the sale deed which amply demonstrates that she is wife of Shailesh Kumar.

4. It is next submitted that no doubt petitioner and the informant were in a relationship but then they were never married. It is also submitted that even presuming what has been alleged is true without admitting then the informant could not have married the petitioner without divorcing her earlier husband Shailesh Kumar. It is next submitted that marriage of the informant with the petitioner is void ab initio. It is further submitted that petitioner was completely unaware that informant was married from before.

5. The learned counsel appearing on behalf of the informant and the learned APP opposes the regular bail application but then are not in a position to rebut the submission of the learned counsel for the petitioner that land was purchased



in name of the children of Shailesh Kumar by a registered sale deed in which name of the informant also finds mention, that informant had two sons who are aged about 18 and 14 years and a complaint case by informant was filed against Shailesh Kumar as recorded herein above, though the learned counsel appearing on behalf of the O.P. No.2 submits that no doubt informant was married to Shailesh Kumar but then she was second wife of Shailesh Kumar.

6. The said contention of the learned counsel appearing on behalf of the O.P. No.2 is vehemently rebutted by the learned counsel appearing on behalf of the petitioner and submits that the fact that the complaint case was also filed by informant against Shailesh Kumar as recorded herein above amply demonstrates that she was married to Shailesh Kumar.

7. In view of the submissions made by the learned counsel for the petitioner, the provisional regular bail granted to the petitioner vide order dated 04.04.2024 in connection with Hilsa P.S. Case No.331 of 2023 is hereby confirmed.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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