

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81697 of 2023

Arising Out of PS. Case No.-1936 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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RANJEET KUMAR SAXENA S/O SURESH NANDAN PRASAD R/O
VILLAGE- JAGDISHPUR, P.S- BAKHTIYARPUR, DISTT.- PATNA AT
PRESENT NEW BENGALI TOLA, P.S- JAKKANPUR, DISTT.- PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SUNITA KUMARI D/O PROF. SITARAM SINGH W/O- RANJEET
KUMAR SAXENA R/O PATEL JANTA NAGAR, BHAGWAT NAGAR,
P.S- AGAMKUAN, DISTT.- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate
For the Opposite Party/s : Umeshanand Pandit , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 30-04-2024 Despite valid service of notice nobody appears on
behalf of the Opposite party No. 2.

2. Heard learned counsel for the petitioner and the
APP *Mr. Umeshanand Pandit* for the State .

3 The petitioner apprehends arrest in a case registered
for the offences under Sections 323 , 341 , 307 498(A), 406 and
34 of the Indian Penal Code and Section 3 / 4 of Dowry
Prohibition Act.

4. The prosecution case , in brief, is that complainant
Sunita Kumari alleged that her marriage was solemnized with
Ranjeet Kumar Saxena on July 14, 2010. It is further alleged



that after 15 days of marriage, this petitioner along with his family members demanded a Scorpio vehicle, and on refusal, complainant was assaulted and abused. The complainant has been living in her paternal home since 2012. The complainant further alleged that on June 11, 2015, she was brutally assaulted by her husband, her mother-in-law, and her sister-in-law. The complainant further alleged that on June 13, 2016, she got her treatment at NMCH.

5 It is submitted on behalf of petitioner that petitioner as a matter of fact that Opposite party No. 2 was not willing to live in a joint family of petitioner and was putting pressure on petitioner to live separately from his family and on refusal Opposite Party no. 2 left her matrimonial home with her own will. It is next submitted that petitioner neither demanded Scorpio vehicle nor assaulted the Opposite Party No. 2. However, petitioner is ready to keep the Opposite party No. 2 with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of Hon'ble Supreme Court in the case of *Arnesh Kumar versus State of Bihar*, reported in AIR 2014 SC 2756.

6. Learned A.P.P. for the State has opposed the prayer



for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Complaint Case (P) No. 1936 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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