

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31727 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- MALSALAMI District- Patna

Ranjit Kumar, S/o- Kaushalendra Prasad Village- Adarsh Colony P.S.-
Malsalmi Distt- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Simpi Kumari, D/o- Ramkishore Prasad, W/o- Ranjit Kumar Moh- Patel
Nagar Sonpur PS- Sonpur Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rashmi Bharti, Advocate Ms. Kavita Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Malsalami P.S. Case No. 13 of 2025, dated
12.01.2025 registered for the offences punishable under
Sections 85 and 3(5) of B.N.S., 2023 and ¾ of D.P. Act.

3. As per allegation, the marriage between the
petitioner and the informant was solemnized in the year, 2019
and thereafter, the informant joined the matrimonial home of he
petitioner and she was blessed with a daughter. Thereafter,
demand of additional dowry of Rs. 10 lac started and on account
of non-fulfillment of the same, she was tortured in various ways.



It is further case of the informant that her husband is a Government employee and when he was posted in Assam, the informant along with her father went there to live with him. The petitioner had turned her down and along with the daughter and she along with the daughter has been abandoned by the petitioner-husband.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner-husband is willing to keep his wife, but the informant is not ready to live with him at the matrimonial home of Patna. The informant wants a separate residence away from the family members of the petitioner. He further submits that the maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioner for bail submitting that the informant is willing to live



with the petitioner-husband. However, the petitioner does not want to keep her and her minor daughter, nor is he paying any maintenance to them. She is always willing to live with the petitioner-husband, if he keeps her with all love and dignity.

8. From the rival submissions of the parties, it appears that on account of normal wear and tear of life, matrimonial dispute has arisen between them and for that sake, parties are advised to move Family Court and if the informant moves an application before the Family Court, learned Family Court is requested to dispose of the same as fast as possible.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Malsalami P.S. Case No. 13 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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