

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43333 of 2026

Arising Out of PS. Case No.-513 Year-2025 Thana- DHANARUA District- Patna

Shiv Ranjan Kumar S/O Late Kanchan Singh R/o village- Mustafapur, P.s.-
Dhanarua, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari W/O Shiv Ranjan Kumar R/o village- Mustafapur, P.O.-
Bharkhari, P.s.- Dhanarua, District- Patna, At Present R/at Vill.- Keshave,
ward no. 8, P.O.- Keshave, P.s.- Barauni, Dist.- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gautam, Advocate Ms. Mohini Kumari, Advocate Mr. Sandeep Kumar, Advocate
For the Opposite Party/s :		Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2026 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State and learned counsel appearing on

behalf of the informant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 316(2),

318(4), 338, 336(3) and 61(2) of the BNS, 2023.

3. Learned counsel appearing on behalf of the

petitioner submits that petitioner has antecedent of three cases

out of which one case was instituted by the instant informant, it

is next submitted that informant alleges that she was married to

petitioner on 15.05.1989, out of the wedlock a son was born in



the year 2000, but petitioner who was in the Army developed illicit relationship with his widowed Bhabhi (Kiran), on protest, the informant was ousted from her matrimonial home by the petitioner and thus, is staying at her parental home, further she instituted Dhanarua P.S. Case No. 165 of 2001, in which petitioner was taken in custody, but the case was disposed of based on a compromise, but thereafter petitioner did not take the informant back, hence she complained to the Commanding Officer, thereafter informant was given maintenance by the Army after deducting from the salary of the petitioner, but petitioner got transferred after 3-4 months, thereafter maintenance stopped, it is next alleged that petitioner obtained her death certificate and married Kiran and got her name incorporated in his service book, accordingly, she obtained information under the RTI Act when it was disclosed by the BDO, Dhanarua that death certificate was issued by an Executive Magistrate recording her date of death as 05.05.2005, based on which death certificate dated 30.08.2023 was issued, it is next alleged that it absolutely does not stand to reason that Army started giving maintenance on 31.05.2005 when her death certificate was already obtained on 05.05.2005.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that the dispute is matrimonial, it is also submitted that the instant case has been instituted 25 years after marriage and from perusal of the allegation as alleged in the FIR, it would manifest that informant herself alleges that since 2001 she is not staying with the petitioner, that is, after her ouster from her matrimonial home and in these 25 years no case ever came to be instituted.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioner.

6. Learned counsel appearing on behalf of the informant submits that the informant on coming to know that Kiran's name has been incorporated in the service book of the petitioner, thereafter she started inquiring the basis on which her name has been incorporated when these startling facts came to her knowledge, it is further submitted that one can well imagine the plight of the informant that how she has able to maintain herself and the child in absence of any financial support from the petitioner, it is also submitted that if petitioner did not intend to continue with the marriage, he could have obtained divorce, but then instead of resorting to procedure envisaged in law, the



petitioner adopted a circuitous route of obtaining death certificate of the informant for getting married to Kiran, it is further submitted that investigation in the case is continuing.

7. After hearing learned counsel for the parties and taking into consideration the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, this application stands rejected.

(Satyavrat Verma, J)

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