

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33457 of 2019

Arising Out of PS. Case No.-1800 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Ranju Sah, Aged about 37 years, Male, Son of Rajee Sah, Resident of Village Kathari, P.O. Rewasi, P.S. Riga, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi, Aged about 33 years, Female, wife of Ranju Sah, D/o Bachhu Lal Sah, Resident of village Sahwajpur, Tola- Bela, P.S.- Riga, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-05-2019 Heard both sides.

Petitioner apprehends his arrest in Complaint Case No.C1/1800/17 for the offences allegedly committed by the petitioner under Sections 498A and 494 of the Indian Penal Code.

The complainant alleged that the petitioner and his family members subjected the complainant to all sorts of torture due to non-fulfillment of additional demand of dowry. The accused persons were demanding a she-buffalo. It is further alleged that the petitioner has already solemnized second marriage with one Annu Devi.

Learned counsel for the petitioner submits that the



marriage of the petitioner with the complainant was solemnized in the year 2000. The petitioner got two children, one is aged about 15 years and another is aged about 10 to 12 years. Both the children are living with the petitioner. Petitioner has not solemnized second marriage. Prima facie case under Section 494 of the Indian Penal Code was taken only on the assertions of the complainant on S.A. It is further submitted that the complainant had earlier filed complaint case in the year 2012 and in the aforesaid complaint case the complainant made same and similar allegation of demand of she-buffalo but the petitioner was granted anticipatory bail in that case.

On the other hand, the learned counsel for the complainant as well as the learned Additional Public Prosecutor opposed the prayer for anticipatory bail. Learned counsel for the complainant submits that the petitioner has already solemnized second marriage. The children are living with her.

Having considered the submissions and on perusal of the records, it appears that the complainant of course made allegation that the petitioner has solemnized second marriage but it appears that the marriage of the petitioner with the complainant was solemnized in the year 2000. The complainant got two children from the wedlock. The complainant had earlier



filed complaint case in the year 2012 making same and similar allegation of demand of she-buffalo in which the petitioner was granted anticipatory bail. Again the complainant filed the present complaint case making same and similar allegation.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 the learned S.D.J.M., Sadar, Sitamarhi in connection with Complaint Case No. C1/1800/17, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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