

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17812 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- NAANPUR District- Sitamarhi

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RANJEET SAH Son of Ram Sogarath Sah Resident of Village - Yadupatti,
P.S. - Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Adv.

For the Opposite Party/s : Mr.Abhay Kumar no. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Nanpur P.S. Case No. 203 of 2019, registered for the offence punishable under sections 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the FIR, after some days of the marriage it is stated that the accused persons including the petitioner herein started to make demand of dowry to the tune of Rs. 1 lakh and on non fulfillment of the same, they beat up the informant and forced her out of the house.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. The petitioner happens to be the husband of the informant. It is submitted that the true facts are that the petitioner himself lodged an FIR on 28.3.2019 which was registered as Nanpur P.S. Case No. 104 of 2019 wherein it was categorically stated that the wife of the petitioner had been kidnapped by the accused Rakesh for the purpose of marriage. It is submitted that on her return, her statement under section 164 Cr.P.C. was recorded, however, for reasons best known to her, she gave a concocted story. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Case diary called for in the case has been received.

Having heard learned counsel for the parties and on going through the records of the case, it transpires that in her statement under section 164 Cr.P.C. recorded in the case lodged by the petitioner, his wife has categorically stated that she was not kidnapped and instead she was beaten up by the petitioner and abandoned in an unknown place. On investigation, a final report dated 31.5.2019 was submitted in the case lodged by the petitioner as a mistake of fact. In addition to the above, there being direct allegation against the petitioner in the instant FIR,



the Court is not inclined to grant anticipatory bail to the petitioner, and, as such, the same is rejected.

(Partha Sarthy, J)

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