

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32560 of 2023

Arising Out of PS. Case No.-890 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Ranjan Kumar, aged about 25 years, Sex-Male, Son of Suresh Yadav, R/O
Village- Lodipur, P.S.- Naubatpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Prem Kumar, Advocate
For the Opposite Party : Mr. Md. Matloob Rab, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 28-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Complaint Case No. 890 (C) of 2021 dated

04.09.2021 registered for the offences punishable under

Sections 323 and 498(A) of the I.P.C.

4. As per the prosecution case, the petitioner and other

co-accused persons are alleged to have tortured the complainant

due to non-fulfilment of demand of Rs. 10,00,000/- as dowry.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. It is further submitted that the petitioner is the husband of the complainant and he has no concern with the alleged offence. Earlier the petitioner has filed Matrimonial Case No. 645 of 2021 in the court of learned Principal Judge, Family Court, Patna, against the complainant and in retaliation to that the present complaint case has been filed by the complainant against the petitioner. Learned counsel for the petitioner has relied upon the judgments of this Court in the case of “*Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in 2006(3) PLJR 182” and in the case of *Satendra Kumar Antil Vs. Central Bureau of Investigation and Another* (2022) 10 SCR 351 and *Md. Asfak Alam Vs. The State of Jharkhand & Anr.* passed in *Criminal Appeal No (s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023*. Learned counsel for the petitioner has further submitted that Section 498(A) of the Indian Penal Code is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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



for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur in connection with Complaint Case No. 890 (C) of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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