

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66043 of 2023

Arising Out of PS. Case No.-903 Year-2020 Thana- GAYA COMPLAINT CASE District-
Gaya

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RANJIT CHOUDHARY son of Saryug Chaudhary Village- Jakkichak Ps-
Muffasil Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari D/o- Upendra Chaudhary Village- Bharaiti Ps- Wazirganj Dist-
Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2023 Heard learned counsel for the parties.

2. The petitioner, husband of complainant, apprehends his arrest in a complaint case punishable for the offence under Section 498(A) of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

3. As per prosecution case, this petitioner is alleged to have committed torture and harassment with the complainant / opposite party no. 2 due to non-fulfillment of demand of dowry.

4. It is submitted on behalf of petitioner that no such occurrence, as alleged in the complaint petition, has ever taken place and petitioner has been falsely implicated in this case. Earlier also, the complainant had filed a case, vide Nawada Mufassil P.S. Case No. 385 of 2019 with similar allegation, in which, after investigation, police did not find the case true



against petitioner and submitted chargesheet. It is further submitted that petitioner has also filed a matrimonial case, vide Matrimonial Case No. 182 of 2021 under Section 9 of the Hindu Marriage Act for restitution of conjugal right, however, after knowing the fact of filing of the aforesaid matrimonial case, the complainant has filed this false and concocted complaint case. Moreover, the case is triable by the learned Magistrate. In this connection, petitioner has relied upon a judgment 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*.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 learned J.M. 1st Class, Gaya in connection with Complaint Case No. 903 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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