

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36403 of 2024

Arising Out of PS. Case No.-784 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Ranjeet Thakur @ Ranjeet Kumar Thakur, aged about 33 yrs (M), Son of Ramakant Thakur, R/O Vill.- Sehudwa, P.S.- Yogapatti, Dist.- West Champaran.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Soni Devi, aged about 25 years (F), Wife of Ranjeet Thakur @ Ranjeet Kumar Thakur, D/O Harishankar Thakur, R/O Vill.- Sehudwa, P.S.- Yogapatti, Dist.- West Champaran. At Present R/O Moh, Dubolia, P.S.- Loria, Dist.- West Champaran.

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Shiva Shankar Sharma, Advocate
For the State	:	Mr. Umanath Mishra, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-07-2024 This matter has been listed under the heading 'For Orders (on office notes)'.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with Complaint Case No. 784 of 2021 dated 26.08.2021 registered for the offences punishable under Section 498(A) of the I.P.C. and Section 4 of the D.P. Act.

4. As per the prosecution case, the petitioner and other co-accused persons are alleged to have tortured the complainant



mentally and physically due to non-fulfilment of demand of Rs. 2,00,000/- as dowry. The accused persons have also tried to kill the complainant several times. It is further alleged that on 10.08.2019, the accused persons tried to kill the complainant by pouring kerosene oil on her body but she was saved by the villagers. It is further alleged that the petitioner and three other persons after enticing the daughter of Harindra Thakur, namely, Chandani and took Rs. 58,000/- and ornaments from her and fled away for which Chautarwa P.S. Case No. 95/2016 has been registered for the offences punishable under Sections 363, 366A/34 of the I.P.C. against him on 31.03.2016 and he was sent to jail and after his releasing from the jail, he also tried to make illicit relationship with other women and girls. The petitioner also wants to perform second marriage.

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. It is further submitted that the alleged occurrence took place on 10.08.2019 and the present complaint has been filed on 26.08.2021 after a lapse of two



years for which no explanation has been given by the prosecution. It is further submitted that a panchayati was also held for settlement of dispute between the parties in which it was decided by the panches to break the relationship as the husband and the wife for which the petitioner had also executed a registered sale deed in favour of the opposite party no. 2 on 19.09.2022. 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 498A of the Indian Penal Code is triable by the Magistrate. The petitioner has three criminal antecedents and in one case, he has been acquitted, as stated in paragraph no. 3 of the bail application. He is in jail since 22.02.2024.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances



of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Complaint Case No. 784 of 2021,with further condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

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)

U.K./-

U		T	
---	--	---	--

