

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80904 of 2024

Arising Out of PS. Case No.-1048 Year-2023 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Ajay Kumar Mahto @ Ajay Kumar Mahato Son of Mukhdev Mahto @
Mukhdev Mahato R/O- Vill- Baamo, P.S- Baikunthpur, Distt- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanhaiya Mahto son of Chuchu Mahto village- Ravtith, Ps- Baikunthpur,
dist- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Ahmad Ali , APP

For OP 2 : Mr. Rananjay Kumar , Advocate

Mr. Nounan Ahmad , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-04-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420, 406, 323 and 504 of
the Indian Penal Code and Section 3/4 of the DP Act.
- 3 . As per the prosecution case, the complainant



alleged that in October 2022, the marriage of daughter of complainant Rita Kumari was fixed with petitioner Ajay Kumar Mahto, for which the marriage expenses were fixed at Rs 2 lakhs in cash, gold chain, ring and a motorcycle were to be given and on 11/11/2022 engagement ceremony was performed in the house of one Mukhdev Mahto in which gold ring worth Rs. 20,000/-, clothes worth Rs 15,000/- and other articles along with cash of Rs 51,000/- was given in advance and thereafter the tilak ceremony was fixed on 26/05/2023 and accordingly, Mukhdev Mahto took Rs 2 lakh on 31st March, 2023 and on 20/04/2023, Mukhdev Mahto called Kanhaiya Mahto at his door and demanded motorcycle within 2 days, whereupon complainant said that he would give the motorcycle on the occasion of tilak ceremony. It is further alleged that Mukhdev Mahto became furious and started abusing and thereafter, cancelled the said marriage. The son of the complainant and relative had tried to mediate, but all gone in vain. On 24/04/2023, a panchayati was held at the door of Mukhdev Mahto in which all the accused persons abused complainant and his family members and also refused to solemnize marriage of petitioner Ajay Kumar with daughter of complainant Rita Kumari. It is further alleged that when complainant demanded



back the aforesaid articles and Rs 2 lakh given during engagement, then accused persons refused to return the same .

4. Learned counsel for the petitioner submits that from perusal of of the complaint case , it is apparent that marriage of this petitioner was fixed by parents and admittedly neither petitioner nor daughter of complainant was present there In the month of April, a meeting between daughter of complainant and petitioner was held in which after seeing petitioner, girl herself denied for the marriage due to the appearance of petitioner. Petitioner's father was against the decision of daughter of complainant, as the invitation of marriage was already given and in order to put pressure upon father of petitioner, this false complaint case has been lodged. It is not the case of the complainant that any money was received by this petitioner as dowry . Petitioner claims clean antecedent.

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, 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 SDJM Gopalganj in connection with
Complaint case No. 1048 of 2023 , subject to the conditions
laid down under section 438(2) of the Code of Criminal
Procedure .

(Prabhat Kumar Singh, J)

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