
(2021) 01 PAT CK 0216

In the Patna High Court

Case No : Criminal Miscellaneous No. 18391 Of 2020

Ranjeet Kumar @ Ranjeet Mahto

APPELLANT

Vs

State Of Bihar And Anr

RESPONDENT

Date of Decision : 27-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 324, 341, 494, 498(A), 504
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2021) 01 PAT CK 0216

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Devendra Kumar, Mukeshwar Dayal, Ayush Kumar

Final Decision : Dismissed

Judgement

1. Heard Mr. Devendra Kumar, learned counsel for the petitioner; Mr. Mukeshwar Dayal, learned Additional Public Prosecutor (hereinafter referred

to as the "APP") for the State and Mr. Ayush Kumar, learned counsel for the opposite party no. 2

2. The petitioner is in custody in connection with Sahiyara PS Case No. 120 of 2018 dated 22.07.2018, instituted under Sections

341/323/324/498(A)/494/379/504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, 1961.

3. On 01.12.2020, the petitioner was granted provisional bail and the matter was sent for Mediation before the Civil Court, Sitamarhi. Unfortunately, Mediation has failed.

4. Thus, the matter has been heard on merit.

5. The allegation against the petitioner is that he demanded dowry from the opposite party no. 2, who is handicapped, and had also remarried.

6. Learned counsel for the petitioner submitted that the opposite party no. 2 did not want to live with him and wanted the petitioner to go and live with

the parents of the opposite party no. 2 which is the cause of dispute. It was submitted that the petitioner is still ready to keep the opposite party no. 2

with him. However, the fact of second marriage is not denied.

7. Learned APP submitted that in the order impugned of the Court below, it has come that the petitioner had married another woman on the pretext

that she would take care of the opposite party no. 2, but it appears that the motive was something else and the opposite party no. 2 has become a

victim of high handiness of both the petitioner and the second wife.

8. Learned counsel for the opposite party no. 2 submitted that she has filed affidavit in which it has been stated that the petitioner had taken a false

plea before the Court below that for taking care of the opposite party no. 2 the second marriage was solemnized and further, that during Mediation

and even after that, the petitioner and his second wife have been sending abuses and threats to the opposite party no. 2.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge

the petitioner on bail.

10. Accordingly, the application stands dismissed.

11. The provisional bail granted to the petitioner stands cancelled. The petitioner shall surrender before the Court below latest by 06th February, 2021

and surrender certificate shall be filed in this Court, in the present proceeding, on his behalf latest by 12th February, 2021, failing which the Registry

shall place the matter before the Bench.