

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**A.B.A. No.1705 of 2014**

Ranjan Kumar Mehta .....Petitioner

**Versus**

The State of Jharkhand ..... Opposite Party

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**CORAM: HON'BLE MR. JUSTICE AMITAV K. GUPTA**

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For the Petitioner : Mr. Rajesh Kumar, Adv.

For the State : A.P.P.

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**2/Dated:28.05.2014**

The petitioner is apprehending his arrest in connection with the case registered under Sections 498A of the Indian Penal Code.

Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner submitted that the complaint was filed on 23.5.2012 in which cognizance had been taken under Section 498A; that after filing of the complaint Namkum P.S. Case No.294 of 2013 dated 10.12.2013 was filed under Section 498A and other allied section of the I.P.C. along with Sections 3 and 4 of Dowry Prohibition Act; that the petitioner remained in custody and was granted bail in the said case in B.A. No.1426 of 2014 by order dated 26.2.2014. It has been further submitted that the report was submitted by the Officer In-charge in the said police case stating that the demand of dowry or torture or assault is false and fabricated; that in fact the complainant had left the matrimonial home without informing the complainant whereafter the petitioner had filed Matrimonial Suit No.294 of 2012, thus it is evident that the petitioner has already remained in custody in a similar case filed by her.

Learned A.P.P. for the State has not controverted the submissions advanced by the learned counsel for the petitioner.

Considering the fact that the complainant had filed a police case in which the petitioner had remained in custody in a offence under Section 498A and other Sections and the present case has also been lodged on similar allegations, the above named petitioner is directed to surrender in the court below within a period of two weeks from the date of receipt of this order and in the event of his arrest or surrender in the court below, he shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Ranchi in connection with Complaint Case No.1187 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Amitav K. Gupta, J.)**