

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23501 of 2015

Arising out of PS.Case No. -22 Year- 2015 Thana -BRAHMPUR District- BUXAR

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Rajendra Prasad, Son of Late Baijnath Prasad, resident of village - Chorai,
P.O. Bhelai, P.S. Udwant Nagar, District – Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Krishna Singh, Advocate.

For the Opposite Party : Mr. Dinesh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection with
Brahmpur (Krishna Brahm) P.S. Case No. 22 of 2015 for the
offences instituted under Sections 406, 420/34 of the IPC and 2/3
of the D.P.Act.

The prosecution story, in brief, is that the informant
settled the marriage of his sister with Praveen, Son of petitioner
and rupees Seven(7) Lacks were given as gift and thereafter on
12.08.2013, ring ceremony was performed, but due to death of a
person in the family of petitioner, the date of marriage has
deferred and later on the petitioner and other co-accused
demanded rupees three(3) lacs more and lastly denied to perform
marriage and then petitioner's side had returned rupees 1.90 lacs

to the informant's side, but not returned the rest amount, i.e.. rupees 5.10 lacs.

It has been submitted on behalf of the petitioner that the petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner has already returned Rs. 1,90,000/- to the informant as per prosecution case itself. The petitioner is said to be the father of the boy who was to be married with the sister of the informant. It is further submitted that prior to institution of the present case, vide Annexure-2 to the application, the informatory petition was also filed by the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Brahmpur (Krishna Brahm) P.S. Case No. 22 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Buxar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)