

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32296 of 2014

Arising Out of PS.Case No. -1528 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

- =====
1. KRISHNA SINGH son of Ramagya Singh .
 2. Shankar Singh @ Rama Shankar Singh son of Ramagya Singh .
 3. Shatrughna Singh , son of Ramagya Singh ,.
 4. Kamlesh Kumar Singh @ Munna son of Krishna Singh . All resident of Village - Rajgawan, P.O. - Deobahura (Nagra) , PS. Marhowrah , District- Saran .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Pravesh Pandey , son of Late Baldeo Pandey , resident of Village AND P.O. Chhitrawalia , P.S. -Ekma , District - Saran .

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Anuradha Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 06-02-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State, learned counsel for the informant.

At the very outset, it is pointed out that petitioner no. 2 has already been arrested, accordingly his prayer of anticipatory bail application stands dismissed being infructuous.

Petitioners apprehend their arrest in connection with Complaint Case No. 1528 of 2013 registered for the offences punishable under Section 406 of the Indian Penal Code.

According to complaint case, the marriage of petitioner

no. 4 was settled with the daughter of complainant and complainant paid Rs. 1,50,000/- in cash and deposited Rs. 30,000/- in the account of one Rahul Kumar Singh but subsequently, petitioner no. 1 extended the marriage on the pretext that petitioner no. 4 became prey of Nasha Khurani Group.

Learned counsel appearing for the petitioners drew my attention towards Annexure-2 to this petition and submits that a Sanha had been lodged in respect of the occurrence which had taken place with the petitioner no. 4 and that was the reason of extension of Tilak Ceremony. Moreover, petitioner no. 1 is ready to return Rs. 30,000/- to the complainant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Saran at Chapra in Complaint Case No. 1528 of 2013, subject to condition as laid down under Section 438(2) of the Cr.P.C.

Furthermore, petitioner no. 1 shall desposit Rs.

30,000/- in cash or in bank draft issued in the name of complainant before the court below within 30 days from the date of furnishing bail bonds and, if the complainant expresses his willingness to accept the aforesaid money/ bank draft, the learned court below shall hand over the aforesaid cash/ bank draft to the complainant but if, he refuses to take the aforesaid amount, the said amount shall be kept at Nazarat and shall be subject to the final judgment of the case.

(Hemant Kumar Srivastava, J)

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