

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47561 of 2015

Arising Out of PS.Case No. -396 Year- 2013 Thana -WAZIRGANJ District- GAYA

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Murari Manjhi, Son of Late Jagdish Manjhi, Resident of Village -
Maidikala, P.S. - Khudaganj, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 30-10-2015

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

The petitioner apprehends arrest in Wazirganj
P.S. Case No. 396 of 2013 dated 27.08.2013 instituted under
Sections 376/420/406 of the Indian Penal Code and 3/4 of
the Dowry Prohibition Act.

The allegation against the petitioner and
others is that the brother-in-law (Sala) of the petitioner on the
false pretext of marriage had established physical relationship
with the informant. However, with regard to the petitioner, the
only allegation is that he was also among the persons who had
gone to see the bride in her house. It is submitted that the
petitioner has no concern or role with the marriage ultimately
not being fixed and just because he is related to the main
accused, he has been roped in the present case. It is
submitted that the petitioner has no criminal antecedent.

Learned counsel has also produced copy of order dated 11.09.2015 in Cr. Misc. No. 36700 of 2015 by which a co-ordinate Bench of this Court has granted anticipatory bail to the uncle of the main accused who is similarly situated to the petitioner.

Learned A.P.P. does not deny the fact that the allegation against the petitioner is only of being one of the persons who had visited the house of the informant for marriage negotiation.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in Wazirganj P.S. Case No. 396 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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