

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42350 of 2014

Arising Out of PS.Case No. -849 Year- 2010 Thana -SARAN COMPLAINT CASE District-
SARAN

- =====
1. Narsingh Prasad son of Late Parojan Prasad,
 2. Munna Kumar son of Narsingh Singh,
 3. Nihora Prasad son of Late Parojan Prasad,
 4. Bal Kishun Prasad son of Parojan Prasad, All R/o Village-Mirjumla,
P.S.-Bhagwanpur, District-Siwan. Petitioners

Versus

The State of Bihar.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. U.S.P.Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners are apprehending their arrest in
connection with Complaint Case No. 849 of 2010, Tr. No. 1335 of
2014 registered under Sections 406 of the Indian Penal Code and
Sections 3/4 of the D.P. Act.

Allegedly, the marriage of the daughter of the
complainant was settled with Petitioner No. 2 for which cash
amount of Rs. 51,000/- having paid in advance but the accused
persons due to non-fulfilment of demand of Rs. 45, 000/- for a
motor cycle refused to solemnize the marriage.

Submission is that the complaint case is based on false and concocted story. The place of occurrence has been shown at the house of the complainant but it is not believable that the petitioners will go at the house of the complainant to settle the marriage. As a matter of fact, the marriage of petitioner No. 2 was solemnized with another girl on 27.11.2009 itself and then only to take revenge the complaint case has been filed in the year 2010 and as such the petitioners deserve sympathetic consideration to which the learned A.P.P. opposes.

Considering that as alleged the Petitioner No. 2 was married in the year 2009 whereas the date of occurrence has been shown in the year 2010 and as such the above-named, petitioners in case of their arrest or surrender within two months from the date of production of a copy of the order or receipt of the order shall be released on bail on execution of bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Chapra in connection with Complaint Case No. 849 of 2010, Tr. No. 1335 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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