

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34393 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Anand Kumar S/o Banarasi Bind
2. Banarasi Bind S/o Late Jurawan Bind
Resident of Village Mohammadpur, P.S. Saiyadraja, District Chandauli
(U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.

For the Opposite Party/s : Mr. Arun Kr. Singh 5, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-10-2015

Heard both sides.

The petitioners, two in number, apprehend their arrest in a case under Sections 406/420 of the Indian Penal Code and Sections 3 / 4 of the D.P. Act.

The petitioner no. 1 is the bride-groom and the petitioner no. 2 is the father of the petitioner no. 1. The informant alleged that the marriage of his daughter was settled with the petitioner no. 1. The petitioners took money and other ornaments from the bride's side for the purpose of solemnization of marriage but the petitioners later on began to demand additional dowry and went away without solemnizing the marriage with the daughter of the informant. It is submitted that the petitioners are labour. The allegation of taking dowry is false. The petitioner no. 1 is still

ready to marry the daughter of the informant. True fact is that the informant himself does not want to marry his daughter with the petitioner no. 1 for the reasons best known to him and the informant and his villagers forced the petitioners to leave his village with Barat.

On the other hand, learned counsel for the informant as well as learned A.P.P. submits that the petitioners took hefty amount by way of dowry but no chit of paper is produced showing delivery of money or ornaments or photographs of the same.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in Chainpur P.S. Case No. 111/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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