

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9545 of 2015

Arising Out of PS.Case No. -792 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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1. Lallan Das S/o Rangi Das
2. Satish Kumar S/o Rangi Das Both R/o Village - Hasanpur Surat, P.S. - Sahpur Patory, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 29-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406 and 420 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

Notices were issued to the complainant O.P. No. 2 vide order dated 21.4.2015. The office notes dated 20.7.2015 reflects that the O.P. No. 2 received notice but refused to acknowledge the receipt.Hence vide order dated 21.7.2015 the notice issued to O.P. No. 2 was directed to

be deemed valid service.

Even today, none is appearing on behalf of the O.P. No. 2, however, learned counsel for the petitioner is present.

The prosecution case is that the complainant fixed the marriage of his daughter with petitioner no. 2. Petitioner no. 2 is the brother of petitioner no. 1 Lallan kumar. It is alleged that cash of eighty one thousand rupees, ornaments and clothes etc. were given at the time of engagement and the date of marriage was fixed for 16.4.2012. Petitioner no. 1 Lallan Das demanded motorcycle and mobile and for the non-fulfillment of further demand of dowry the marriage was not performed.

It is submitted by the learned counsel for the petitioners that only the marriage negotiation was done and no engagement was performed between the daughter of the complainant and petitioner no. 2. It is further submitted that there is no proof of payment.

Considering the nature of accusation, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, west Muzaffarpur in connection with Complaint Case No. 792 of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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