

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3256 of 2015

Arising Out of PS.Case No. -2846 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Madhu Sinha, wife of Rajnikant Sinha
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-01-2015 Heard learned counsel for the petitioner, learned
counsel for the complainant as well as learned Additional Public
Prosecutor for the State.

Petitioner apprehends her arrest in connection with
Complaint Case No. 2846 of 2013 in which cognizance has been
taken for the offences punishable under Sections 406, 120B of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The marriage of son of the petitioner was settled with
daughter of complainant and Rs. 2,50,000/- was given by the
complainant to son of the petitioner in advance as cost of the
marriage but subsequently, the complainant was pressurized to
cough more money and accordingly, the complainant again gave
Rs. 1,00,000/- in cash but petitioner and other accused refused to
solemnize marriage of son of petitioner with daughter of the

complainant.

Learned counsel appearing for the petitioner submits that no doubt, marriage of son of the petitioner was settled with daughter of the complainant but subsequently, the daughter of the complainant refused to solemnize her marriage with petitioner's son as son of the petitioner was in private job. So far as Rs. 2,50,000/- is concerned, it is admitted by the petitioner that the aforesaid amount was deposited in the account of husband of the petitioner. Learned counsel for the petitioner further submits that if petitioner gets some time, she will return Rs. 2,50,000/- 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 petitioner, in the event of her 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, East, Muzaffarpur in Complaint Case No. 2846 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C. Furthermore, the petitioner shall return Rs. 2,50,000/- to the complainant either through bank draft or depositing the same

in the concerned court within ninety days from the date of her surrender, failing which the learned court below shall be at liberty to cancel the bail bonds of the petitioner. It is also made clear that if the above stated amount is deposited before the court below in cash or through Bank draft, the complainant shall be entitled to take the aforesaid amount/Bank draft from the concerned court.

(Hemant Kumar Srivastava, J)

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