

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43169 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Bachan Sah, aged about 50 years, son of Late Jagarnath Sah
 2. Mostt. Urmila Devi, aged about 58 years, w/o Late Bhuwan Prasad
 3. Smt. Suman Devi, w/o Raju Kumar All are residents of Village-
Jamunapur, Police Station- Adapur, District- East Champaran.
 4. Abha Devi, w/o Bipin Sah, resident of Village- Ranighat, P.S. Birganj,
District- Parsa (Nepal)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48935 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Alaok Ranjan Kumar
 2. Manish Kumar, both are sons of Late Bhuwan Prasad, residents of
village - Jamunapur, Police Station - Adapur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Pd. Gupta S/o Mahalal Pd. Gupta, R/o Village-Bariyarpur Distt-
Bara (Nepal).

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.43169 of 2015)

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

(In Cr.Misc. No.48935 of 2015)

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Indu Kumari Srivastava(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 03-03-2016 Heard learned counsel for the petitioners and learned

A.P.P. for the State alongwith learned counsel for the

informant/opposite party no.2. Jitendra Kumar Gupta.

The petitioners apprehend arrest in connection with Adapur P.S. Case No. 66 of 2015 for offence alleged under Sections 406, 504, 506, 323, 120(B) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Prosecution case as alleged by the informant the brother of the victim girl Radha Kumari Gupta is that he had fixed the marriage of his sister with Aalok Ranjan Kumar S/o late Bhuwan Prasad at the house of his brother-in-law namely Pawan Kumar. After settlement of marriage he has done 'Chheka on 13.6.2014 at Makalu Hotel, Birganj. All the family members were present and he has given ornaments of Rupees Eight lacs forty-nine thousand as a Gift. After "Cheeka", it was decided that marriage would be solemnized on 30.04.2014. In the meantime, on 21.3.2015 one Raj Kishore Prasad came and informed that Manish Kumar, who is a brother of bride Aalok Kumar and his mother Urmila Devi demanded Ten lacs. After this information, he alongwith Raj Kishore Prasad went to the house of Anuj Kumar. In his house Manish Kumar, Mostt. Urmila Devi, Ram Bachan Sah, Smt. Suman Devi and Smt. Abha Devi were present there. They all became aggressive on informant and shouted on him and said that the marriage will not solemnized unless Rupees Ten lacs is paid. When he showed his in-competency, all accused abused and beat the informant and other persons with fists and slaps and

threatened with dire consequences.

It has been submitted by learned counsel for the petitioners that they are innocent and have no criminal antecedent. It has further been submitted that although 'Chheka' was performed but could not culminate in marriage. He also submits that he is ready to make payment of Rs. 4,00,000/- to the informant which was the expense of the Chheka ceremony, within a period of 8 weeks from today by bank draft or bankers cheque in the name of the victim girl Radha Kumari Gupta.

The counsel for the informant is ready for the said amount. On such undertaking to deposit Rs. 4 lacs within eight weeks, let the petitioners in the event of arrest/surrender within 8 weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Adapur P.S. Case No. 66 of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

siddharth/-

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