

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35193 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Prem Kumar Ram @ Prem Kumar son of Sachita Ram @ Sachidanand Ram
2. Sachita Ram @ Sachidanand Ram son of late Shivdas Ram, Both are residents of village- Barakagaon, Police Station- Bhagwanpur Hat, District- Siwan.
3. Barjan Ram son of late Asheshar Ram, resident of village-Shankarpur, Police Station- Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 128 of 2015 registered under Sections 323, 406, 120(B), and 420 of the Indian Penal Code and Sections 3 of the Dowry Prohibition Act.

Accusation is that the marriage of the daughter of informant, Punam Kumari, was settled with petitioner no.1, son of petitioner no.2 Sachidanand Ram and, accordingly, date of Tilak and marriage was fixed on 21.4.2015 and 27.04.2015 respectively. The cash Rs. 1,50,000/- for marriage expenses and articles worth Rs. 1,40,000/- was given at the time of tilak on 21.04.2015. The bride party returned from the house of petitioner nos.1 and 2

thereafter on 26.04.2015, petitioner no.2, made demand of cash Rs. 1,00,000/- from the informant but he was not in position to fulfill the same. Due to that reason, petitioner no. 2 refused to perform the marriage of his son (petitioner no.1) with his daughter and he performed the marriage of petitioner no.1 to another place.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the complainant/informant came at house of the petitioner no.2 to settle the marriage of his daughter with petitioner no.1 and the marriage was settled but the daughter of the informant was not ready to perform the marriage with the petitioner no.1. Due to that reason informant showed his inability thereafter petitioner no. 2 performed the marriage of his son (petitioner no.1) on the date which was already fixed for marriage.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 the learned Sub Divisional Judicial Magistrate, Gopalganj, in connection with Baikunthpur, P.S. Case No. 128 of 2015, subject to the conditions as laid down under Sections 438(2) of the Cr.P.C.

siddharth/-

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(Rajendra Kumar Mishra, J)