

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50553 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -PAUTHU District- AURANGABAD

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1. Lallu Yadav Son of Jitendra Yadav, Resident of village - Chandaul, P.S. Rafiganj, District Aurangabad
2. Satyendra Yadav Son of Late Bhikhar Yadav, Resident of village - Chandaul, P.S. Rafiganj, District Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in Pauthu P.S. case No.38 of 2016 registered under Sections 406, 420, 504 and 506/34 of the Indian Penal Code, pending before the court of Chief Judicial Magistrate, Aurangabad.

The prosecution case, in brief, is that the marriage of the daughter of the informant was decided with accused Guddu Kumar and he paid Rs.3,75,000/- as dowry to Jitendra Yadav. Thereafter the accused persons including the petitioners again demanded Rs. 2 lacs more as further dowry. When the informant was unable to fulfill their demand, then the accused refused to marry and did not return his money.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. No wrongful gain has been made on the part of the petitioners and whatever allegation made is against the co-accused Jitendra Yadav and Guddu Kumar.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. and they have participated in the alleged occurrence. Other co-accused have been granted regular bail vide Cr.Misc.No.44409 of 2016.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioners. Prayer for anticipatory bail is rejected.

Anyhow if the petitioners surrender in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order taking into account that the other co-accused have already been granted regular bail vide Cr.Misc.No.44409 of 2016. If possible, the same may be disposed of on the same day.

(Sudhir Singh, J)

Narendra/-

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