

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57598 of 2015

Arising Out of PS.Case No. -437 Year- 2015 Thana -GAYA KOTWALI District- GAYA

1. Chandra Moleshwar Prasad Sinha Son of Late Girdhari Prasad Sinha,
2. Om Prakash Son of Sri Chandra Moleshwar Prasad Sinha,
3. Smt. Meera Sinha, Wife of Sri Chandra Moleshwar Prasad Sinha, All
resident of H.E.c. Qtr, No. A-7, CTI Colony Dhurwa, P.S. - Dhurwa,
District - Ranchi (Jharkhand).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sandip Singh, Advocate

For the State : Mr. Nityanand Tiwary (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 21-01-2016

Heard learned counsel for the petitioners and the
State.

The petitioners apprehend their arrest in a case
filed under Section 420 of the Indian Penal Code.

As per the allegation, marriage was fixed between
the informant's daughter and petitioner no.2 and "Chhekha" was
performed and thereafter, the petitioners started demanding dowry
for performing the marriage.

Learned counsel contends that allegation under the
provisions of Section 420 of the I.P.C. are not attracted in the
present case. Though Section 4 of the Dowry Prohibition Act,

1961 is attracted on the basis of allegation but there is no evidence to show that the petitioners ever demanded money or dowry from the informant. It is contended that in fact negotiation had taken place but marriage was never fixed.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Kotwali P.S. Case No.437/2015, the above named petitioners, Chandra Moleshwar Prasad Sinha, Om Prakash and Smt. Meera Sinha shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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