

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20125 of 2016

Arising Out of PS.Case No. -358 Year- 2012 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Dinesh Sah S/o Late Jamun Sah R/o village - Manikpur, P.S. Pupri,
District - Sitamarhi

.... Petitioner/s

Versus

1. State of Bihar,
2. Raj Kumar Sah S/o Late Bangali Sah R/o Mohalla - Kadirabad, P.S.
L.N. Mithila University Campus, District - Darbhanga

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagnnath Singh

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 06-05-2016

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under sections 406 of the
Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The prosecution case is that co accused Rajesh Sah
being close relative of the complainant persuaded the complainant
to get his daughter married with the petitioner. Consequently, the
complainant gave eleven thousand and gold chain at the time of
engagement. Subsequently, further demand of rupees fifty one
thousand cash and motorcycle were made and the marriage could
not be solemnized but eleven thousand rupees and gold chain were
not returned.

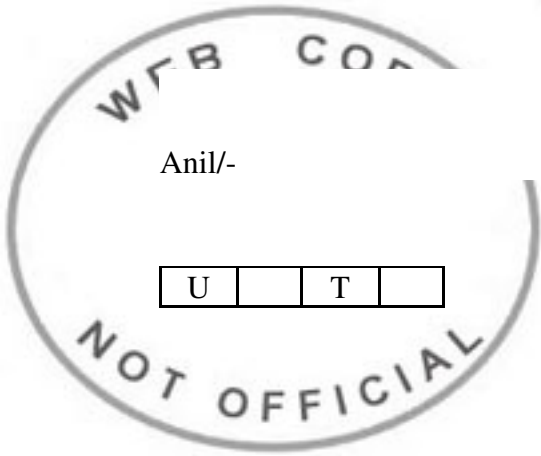


It is submitted by the learned counsel for the petitioner that initially the police case was registered. On conclusion of investigation the petitioner was not sent up for trial. The final form was accepted and the matter proceeded on protest cum complaint and thereafter, the processes have been issued after cognizance being taken. The petitioner was granted anticipatory bail by the learned Sessions Judge vide ABP No. 832 of 2012 on 1.11.2012 but the petitioner could not furnish bail bond and recently warrant of arrest has been issued. It is further submitted by learned counsel for the petitioner that the petitioner filed informatory petition on 26.7.2011 against the present complainant.

In view of the fact that the petitioner was earlier granted anticipatory bail by the learned Sessions Judge, this application is not maintainable. However, since the petitioner was earlier granted anticipatory bail by the learned Sessions Judge, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 358 of 2012 pending in the court of learned SDJM, Darbhanga. The bail application of the petitioner may be disposed of by the learned court below preferably on the same day.

This application is disposed of with the

aforesaid observation/direction.



(Dinesh Kumar Singh, J)

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