

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41918 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -CHAKIA District- EAST CHAMPARAN
(MOTIHARI)

Sagar Gupta, son of Lalan Sah, resident of Professor Colony, Chakiya, P.S.-
Chakiya, District- East Champaran at Motihari

.... Petitioner

Versus

The State of Bihar Opposite Party

With

Criminal Miscellaneous No.2539 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -CHAKIA District- EAST CHAMPARAN
(MOTIHARI)

- 1. Lalan Sah son of Late Langar Sah,
 - 2. Nirmala Devi wife of Lalan Sah
 - 3. Salu Devi @ Salu Kumari Wife of Suraj Chaurasiya
 - 4. Suraj Chaurasiya, son of Prabhu Prasad Chaurasiya,
- All resident of Chakiya Professor Colony, P.S.- Chakiya, District- East
Champaran at Motihari

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

(In Cr.Misc. No.41918 of 2015)

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Dr. Kr. Uday Pratap, APP

(In Cr.Misc. No.2539 of 2016)

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. Mithlesh Kr. Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 12-04-2016

These two applications arise out of a common FIR and, hence, they have been heard together and are being disposed of by a common order.

The petitioners seek pre-arrest bail in connection with Chakiya P.S. Case No. 116 of 2015 registered under Sections 406, 420 read with 34 of the Indian Penal Code as also Sections 3 & 4 of the Dowry Prohibition Act.

It is contended by the learned counsel for the petitioners that there is no truth behind the allegation made in the FIR and the same has been instituted just in order to coerce and blackmail the petitioners. Apart from the ocular allegation made in the FIR, there are no documents to support the accusation of demand or payment of dowry.

On the other hand, learned counsel for the informant has vehemently opposed the application. He has contended that the daughter of the informant was to be married to the petitioner Sagar Gupta (Cr. Misc. No. 41918 of 2015) and for solemnizing the marriage, the petitioners had taken Rs. 3,50,000/- as dowry, but later on, the petitioners in conspiracy with each other started demanding Rs. 2,00,000/- more as dowry and due to non-fulfilment of the demand the marriage could not take place.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioners, namely Sagar Gupta in Cr. Misc. No. 41918 of 2015, Lalan Sah, Nirmala Devi, Salu Devi @ Salu Kumari and Suraj Chaurasiya in Cr. Misc. No. 2539 of 2016, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran in connection with Chakiya P.S. Case No. 116 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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