

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7863 of 2016

Arising Out of PS.Case No. -128 Year- 2014 Thana -KAMTAUL District- DARBHANGA

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Arun Kumar Son of Shiv Nath Thakur @ Shiv Lala, Resident of Village-
Lakhanpur, P.S.- Katra, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Soni Srivastava, Adv.

For the Opposite Party/s : Mr. A.A.Khan(App)

For the Complainant : Mr. Niranjana Singh @ Niranjana Kr., Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 04-04-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State, as also learned counsel, appearing on behalf of

the complainant.

This application for grant of anticipatory bail arises out
of Kamtaul P.S.Case No. 128/2014, disclosing offences under
sections 420, 460, 120B/34 of the Indian Penal Code and 3/4 of
the Dowry Prohibition Act.

Learned counsel for the petitioner has made two
submissions. She, firstly, submits that in similar circumstances,
co- accused, Shivnath Thakur and Vibha Devi, have been granted
anticipatory bail by this Court vide order dated 5.10.2015 passed
in Cr.Misc.No. 40721/2015. She, secondly, submits that it is

evident from the complaint petition, which is basis of registration of the First Information Report, that the dispute relates to failure of marriage negotiation for the daughter of the complainant with the petitioner. She submits that no purpose would be served, if the petitioner is taken into custody.

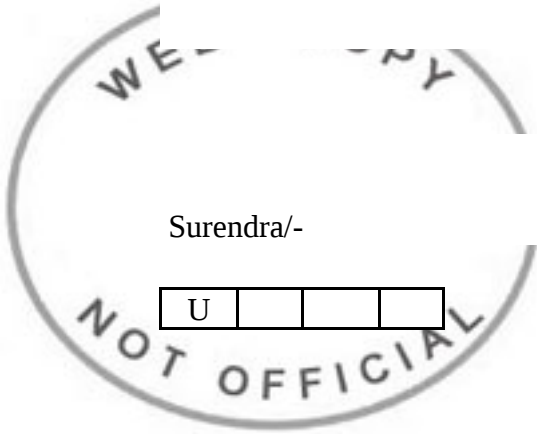
Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail and has submitted that the offences under various sections of the Indian Penal Code are made out and therefore, the petitioner should not be granted such privilege of anticipatory bail.

Considering the nature of dispute between the parties, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga in Kamtaul P.S.Case No. 128/2014, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear

before the court on two consecutive occasions, his bail bonds shall
be liable to be cancelled.



(Chakradhari Sharan Singh, J)