

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31507 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -AURANGABAD COMPLAINT CASE District-
AURANGABAD

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1. Sunaina Devi, wife of Krishna Murari Prasad Lehari, aged about 5 years
2. Ajit Prasad Lehari
3. Ajay Prasad Lehari,
Both sons of Krishna Murari Prasad Lehari, all are resident of Mahuli,
Kuan, P.S. - Giridih, District- Giridih, Jharkhand.

.... Petitioners

Versus

1. The State of Bihar.
2. Vijay Prasad Lehari S/o Late Janki Lehari R/o Mohalla- Baratpur, P.S.-
Aurangabad Town, District- Aurangabad.

.... Opposite Parties

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Appearance :

For the Petitioner s : Mr. A. K. Lal,
Mr. Saroj Kumar Sharma, Advocates
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-08-2016 Heard learned counsel for the petitioners and learned APP
for the State assisted by learned counsel for the complainant.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 4/5 of the Dowry Prohibition Act registered in
connection with Complaint Case No. 102 of 2015.

3. It is submitted that the petitioners have been falsely
implicated and in any event, the thrust of accusation of demanding
Rs. 5,00,000/- is on the father of groom-to-be. It is further submitted
that the pre-condition of sanction contemplated under section 4
Proviso to the Dowry Prohibition Act, 1961 (Bihar Amendment) has
not been observed as no such sanction has been taken.

4. Learned counsel for the opposite party appears and has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender of petitioners before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 102 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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