

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36520 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Shambhu Gauro, S/o Chaturi Gauro,
 2. Bikki Kumar, S/o Shambhu Gauro,
 3. Banti Kumar, S/o Shambhu Gauro, All three are Residents of Village-
Parsanda, P.S.- Sahodra, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-09-2016

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehends his arrest in connection with Sahodra P.S. Case no. 33 of 2016, registered under Sections 341, 323, 504, 506, 420, 406, 384/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

The allegation of informant Shiv Narayan Mahto is that he settled the marriage of his daughter with Bikki Kumar (Petitioner No.2). On 03.02.2016 petitioners and his other family members came at the house of the informant for the purpose of engagement (Pujai). The informant along with his other family members also visited the house of petitioners on 15.02.2016 and paid Rs. Three Lakhs cash to the petitioner no.1 Shambhu Gauro, father of petitioner no.2, as a gift and date of marriage has been fixed on 28.04.2016, but petitioner no.1 Shambhu Gauro and his

family members made further demand of cash Rs. Two Lakhs and one motorcycle. While he made request to perform marriage of his daughter with petitioner no.2, but all the petitioners refused to perform marriage due to non-fulfillment of demand of dowry i.e. cash of Rs. Two Lakhs and one motorcycle.

Learned counsel for the petitioners submits that, in fact, the marriage of the daughter of informant was settled with petitioner No.2, son of petitioner No.1, but later on it came in the knowledge that the girl was suffering from epilepsy and due to that reason, the marriage could not be performed. But due to ulterior motive, the informant lodged the present case only to harass the petitioners.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M, Bettiah, West Champaran in connection with Sahodra P.S. Case No. 33 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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