

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25634 of 2016

Arising Out of PS.Case No. -2135 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Mehrun Nishan, Wife of Md. Anwar @ Ballo.
2. Md. Anwar @ Ballo, Son of Abdul Hakim. Both residents of village-
Bari Ballia, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Sabir, Son of Late Md. Alim, Resident of village- Kasba, P.S.-
Ballia, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 31-08-2016 Heard the learned counsel for the petitioners, the

learned counsel for the complainant and the learned Additional

Public Prosecutor.

The petitioners apprehend their arrest in Complaint
case No. 2135C of 2012 under Section 420, 406, 34, 120B of the
Indian Penal Code and under Section 4 of Dowry Prohibition Act.

The complainant, father of the bride, disclosed that
marriage of his daughter was settled with Md. Manobbar, son of
the petitioners and engagement was done on 28.08.2012 in which
the complainant spent more than Rs. 60,000/- but on 06.09.2012
the petitioners called the complainant and demanded a motor cycle

and Rs. one lac cash.

The learned counsel for the petitioners submits that the complainant did not give anything to the petitioners for settlement of marriage. The bridegroom himself is adult and is working as a Teacher and his first wife has died. The petitioners, who are mother and father of the bridegroom, respectively, have not accepted any dowry. The son of the petitioners did not agree to marry with the daughter of complainant that is why this false case has been lodged.

The learned counsel for the complainant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail.

It appears from perusal of the complaint petition that the complainant has not made any specific allegation against the petitioners, who are mother and father of bridegroom, that the petitioners took any money from the complainant.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged 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 learned Sub-divisional Judicial Magistrate, Begusarai in Complaint Case No. 2135C of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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