

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54586 of 2016

Arising Out of PS.Case No. -875 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

- =====
1. Munna Rai, S/o Ghurahu Rai,
 2. Pushpa Devi, W/o Munra Rai @ Munna Rai,
 3. Ritesh Rai, S/o Munna Rai, all Resident of village-Mauni, P.S. Shivsagar, District-Rohtas, Sasaram

.... Petitioner/s

Versus

1. The State of Bihar,
2. Madan Rai, S/o Ramji Rai, R/o Village- Jasuri, P.S. Chandauli, District-Chandauli (U.P.) at present- Akhleshpur, P.S. Bhabua, District-Kaimur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1, Advocate

For the Opposite Party No.1: Mr. Ahmad Ali, APP

For the Opposite Party No.2: Mr. Kumar Sunil, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 10-03-2017

Heard learned counsel for the Petitioners and the

State as well as counsel for the Opposite Party No.2.

The Petitioners apprehend their arrest in Complaint Case No.875 of 2016 instituted for the offence under Section(s) 406, 504 Indian Penal Code.

It is alleged in the complaint that *Chheka* of the petitioner No.3 was fixed with the daughter of the complainant and at the time of negotiation golden ring, and rupees fifty one thousand in cash was given to the petitioner No.3, but, ultimately, marriage got broke down because the accused persons told that they are getting rupees two lacs in dowry for their son, Ritesh



Rai, from another girl.

Notice was issued to the informant, who has appeared.

Learned counsel for the petitioners has submitted that he has enquired from his clients and they have stated that rupees fifty one thousand was not given to the boy at the time of engagement.

Counsel for the Opposite Party No.2 has submitted that it is mentioned in para 8 itself that accused persons broke the marriage saying that they are getting money in dowry and better girl.

It appears from the Complaint Petition that there is no substantive proof to show that rupees fifty one thousand was given to the petitioner No.3 at the time of negotiation.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Complaint Case No.875 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua, subject to the conditions as laid



down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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