

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55976 of 2017

Arising Out of PS.Case No. -1445 Year- 2010 Thana -SARAN COMPLAINT CASE District-
SARAN

- =====
1. Suresh Singh
 2. Rakesh Kumar Singh Both Sons of- Late Brij Nath Singh Both resident of Village- Ganjpur, P.S.- Siswan, District- Siwan.

.... Petitioners

Versus

1. The State of Bihar.
2. Nag Narayan Singh Son of Late Ramjeet Singh resident of Village- Gouri, P.S.- Manjhi, District- Saran at Chapra.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Compliant Case No. 1445 of 2010, registered under Sections 420 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is that complainant approached to petitioner No.1 Suresh Singh for settlement of marriage of his daughter with his brother (Petitioner No.2) and after negotiation the date of Tilak and marriage was fixed on 17.02.2009. At the time of Chheka ceremony, complainant gave Rs. 15,000/- for purchasing of the clothes and he also expended Rs. 20,000/- in Bidai of relatives. It is alleged that before 10 days of the marriage, petitioner No.1 made demand of Rs. One lakh, Hero Honda Motorcycle, Colour T.V. and



other materials saying that unless the said articles will not handed over to him within three days, the marriage of petitioner No.2 will not be performed with his daughter. The complainant showed his inability to fulfill the said demand then petitioner No.1 become furious and refused to perform the marriage of his brother (Petitioner No.2). Thereafter, complainant filed complaint case in the Court of SDJM, Saran in which he was examined and after knowing about the case, the petitioner No. 1 come to the complainant and requested to withdraw the case saying that in the coming year the marriage of his brother will be performed with his daughter on which complainant left the pairvi in the said case. But, the complainant came to know that petitioner No.1 has settled the marriage of his brother, then he approached to petitioner No.1, but he refused to perform the marriage of his brother petitioner No.2.

Learned counsel for the petitioners submits that, in fact, while talk was made in between petitioner no.1 and complainant to perform marriage of petitioner No.2 with the daughter of the complainant, but the talk could not be finalized and the petitioner No.1 performed the marriage of his brother petitioner No.2 in the year 2010 to another place. Further submission is that the complainant has also performed the marriage of his daughter at other place, but only to harass the petitioners the complainant has lodged the present case.

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. Saran at Chapra in connection with Complaint Case No. 1445 of 2010, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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