

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4657 of 2016

Arising Out of PS. Case No.-26031 Year-2014 Thana- PATNA COMPLAINT CASE
District- Patna

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1. Bal Mukund Tiwary, Son of Late Chandrasekhar Tiwary, R/o Mohalla- Yarpur Rajputana, P.S.- Gardanibagh, District- Patna
 2. Tipu Kumar @ Jai Prakash, son of Bal Mukund Tiwary, R/o Mohalla- Yarpur Rajputana, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Asha Devi, W/o Randhir Dubey, Resident of Village + P.O.- Alawalpur, P.S.- Gaurichak, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
For the Opposite Party/s : Mr. Ashraf Ansari(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

27 13-09-2017 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State and O.P. No.2.

The petitioners are apprehending their arrest in connection with Complaint Case No.26031 of 2014 registered for the offence punishable under Sections 406 and 420/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Having heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State and after perusal of the materials on record, including the counter affidavit filed by O.P. No.2, it appears that there was some negotiation for marriage, which did not ultimately materlise. Whether or not any money exchanged hands cannot be



determined in the present application on the basis of the materials which have been placed on record.

Considering the fact that there is a clear cloud on the prosecution case, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Complaint Case No.26031 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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