

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13476 of 2017

Arising Out of PS.Case No. -485 Year- 2016 Thana -DANAPUR District- PATNA

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1. Dilip Kumar, Son of Saryug Sao.
2. Abhishek Kumar, son of Shambhu Sharan Prasad. Both are Resident of Village- Lakhanibigha (Dwarikapuri), P.S.- Danapur, District- Patna, Surendra Singh.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, Adv.

For the State : Sri Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-05-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Danapur P.S. Case No. 485 of 2016 registered under Section 420 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is that the informant settled the marriage of his daughter Nibha Kumari with elder son of Shambhu Sharan Prasad who is Driver in Railway Department and used to reside at Dwarikapuri, lane no.3, Khagaul at Patna. On 10.10.2016, the date of Tilak was fixed and on which date, the informant and his family members came at the house of Shambhu Sharan Prasad and a gift material of Rs. 5 lakhs was given at the time of Tilak ceremony. After performing Tilak ceremony, the



date of marriage was fixed on 8.12.2016. Before that date, Shambhu Sharan Prasad made demand of Rs. Ten lakhs as dowry. Thereafter, the informant came at the house of Shambhu Sharan Prasad where his brother Dilip Kumar, his younger son Abhisekh Kumar and his wife were present and all of them reiterated the aforesaid demand.

Learned counsel for the petitioner submits that both the petitioners are brother and younger son of co-accused Shambhu Sharan Prasad who is said to be sent a message to the informant for the demand of Rs. 10 lacs before the date of marriage. In fact, both the petitioners have falsely been implicated in this case only to give pressure by them for marriage.

Considering the aforesaid submissions, 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, in connection with Danapur P.S. Case No. 485 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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(Rajendra Kumar Mishra, J)