

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44641 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -SISWAN District- SIWAN

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1. Vakil Singh, Son of Late Nagina Singh,
 2. Gyanti Devi W/o Sri Vakil Singh,
 3. Pankaj Singh @ Sintu Singh Son of Sri Vakil Singh,
 4. Deepak Singh Son of Sri Vakil Singh, All are R/o Village- Baghona,
P.S.- Siswan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-09-2017

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420/306/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Marriage of the daughter of the informant was settled with petitioner Pankaj Singh @ Sintu Singh. The informant had paid different amount for different purposes for solemnization of the marriage. However, the marriage could not be solemnized as the daughter of the informant died prior to the marriage. The petitioners have refused to refund back the money.

Learned counsel for the petitioner submits



that the entire allegation is of payment of amount which was paid as consideration of marriage as such amounts to dowry and payment of dowry is itself an offence. Therefore, the complainant cannot get protection of law. Moreover, the amount cannot be recovered in civil proceeding.

Learned counsel for the informant opposed the prayer for bail.

Considering the substance in the submission of the learned counsel for the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Siwan/successor Court in connection with Siswan Police Station Case No. 42 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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