

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14315 of 2017

Arising Out of PS.Case No. -274 Year- 2016 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Santosh Kumar Jha, son of Sri Om Prakash Jha @ Bambam Jha, Resident
of Village- Gardhi Rampur, P.S.- Naya Ramnagar Dist- Munger.

.... Petitioner

Versus

1. The State of Bihar.
2. Umashankar Jha, son of Bhola Jha, resident of Village- Chidayabad,
P.S.- Ratanpur, P.S.- Bariyarpur, Dist- Munger.

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Shalini, Advocate

For the Opposite Party/s : Mr. Sri Kalyan Shankar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-05-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and also learned counsel for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 274C of 2016, registered for the
offences punishable under Sections 323, 504 of the Indian Penal
Code and Section 3/4 of the D.P. Act.

Allegedly after performing Tilak ceremony wherein
cash and articles were gifted by the complainant to the accused
persons, the accused persons again demanded Rs. 7,50,000/-
otherwise not to marry with the girl of the complainant. The
accused persons started demanding more and more money by way
of dowry for the settlement of marriage ceremony of the petitioner



with the daughter of the complainant

Submission is of false implication and that the petitioner has not demanded anything, the petitioner has got no concern with the demand of alleged dowry. Section 323 and 504 of the Indian Penal Code are bailable and Section 3/4 of Dowry Prohibition Act is not applicable. The petitioner is in service and he is of the view to marry with suitable girl without dowry. The complainant wants to marry his daughter forcibly and for that false case has been instituted and, as such, the petitioner deserves sympathetic consideration.

The learned counsel duly assisted by the learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that it was the petitioner whose marriage was settled with the daughter of the complainant and later on they started demanding more money and, as such, Section 3/4 of the Dowry Prohibition Act is applicable

In the facts and circumstances as stated above, Considering that the petitioner is in service, he has not demanded anything, the allegations are against his father and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Munger, in connection with Complaint Case No. 274C of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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