

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10119 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

- =====
1. Rohit Kumar @ Rohit, S/o Mani Bhushan Sinha.
 2. Mani Bhushan Sinha, S/o Yugal Kishore Prasad Singh,
 3. Mamta Sinha @ Mamta Devi, W/o Mani Bhushan Sinha.
 4. Ritu Kumari @ Ritu, D/o Mani Bhushan Sinha, All resident of Village-
Dumri Road, Gobarsahi, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tuhin Shankar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

8 11-07-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 420/354A of
the Indian Penal Code and Sections 3/4 of the D.P. Act.

Marriage of the daughter of the informant could not
be solemnized as after ring ceremony petitioners allegedly put
demand of more dowry. In the circumstances, F.I.R. has been
lodged with the aforesaid allegation.

Submission of the learned counsel for the petitioners
is that both the boy and girl are in job. For different dispute of



incompatibility, the marriage was not solemnized. In the circumstances, honestly, whatever was paid by the prosecution side was returned in the bank account of the informant. During reconciliation, it revealed that due to ego problem of the boy arising out of the misbehaviour of the father of the girl he was adamant not to enter into the marriage with the said girl. Hence, reconciliation failed.

Submission of the learned counsel for the petitioner is that even after several rounds of sitting the parties did not agree to marry and there is no direct evidence against the petitioners. Hence, he deserves bail.

Learned counsel for the informant opposed the prayer on the ground that marriage of the daughter of the informant with some other boy would be difficult in the situation arising due to ring ceremony with the petitioner Rohit Kumar. Hence, such unscrupulous person should not be protected.

Considering the entire facts and circumstances of the case especially the fact that during the reconciliation it did not reveal that the marriage could not be solemnized due to more demand, hence, 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



anticipatory 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-cum-Sub-Judge-VII, Muzaffarpur/Successor Court in connection with Muzaffarpur Mahila Police Station Case No.133 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

Mkr./-

(Birendra Kumar, J)

U		T	
---	--	---	--

