

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15852 of 2017**

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

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Banke Bihari Jha Son of Sri Om Prakash Jha @ Bamban 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 : Mr. Shalini

For the Opposite Party/s : Mr. Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

2      13-07-2017                      Heard learned counsel for the petitioner, learned counsel  
appearing on behalf of the informant and the learned A.P.P. for the  
State.

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

The accusation is that complainant settled the marriage of  
his daughter with Santosh Kumar Jha, brother of the petitioner and  
“Kaniya Nirikshan” ceremony was performed on 15.02.2016 by the  
petitioner in presence of family member of complainant. On  
19.02.2016 Tilak ceremony was performed and bride side gave certain  
articles worth of Rs. 4 lakhs along with clothes as gift. Thereafter, this  
petitioner made demand of Rs. 7.5 lakhs saying that his brother



Santosh Kumar Jha is in CISF service. In spite of several persuasion petitioner was adamant on the demand.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that till the performing of Tilak ceremony for marriage of the brother of the petitioner no any cash was paid by the complainant as dowry nor any allegation has been made regarding demanding of cash in dowry, but due to some dispute the marriage of the brother of the petitioner could not be finalized, due to that reasons, the informant lodged the present case with false allegation of demand of cash of Rs. 7.5 lakhs after Tilak ceremony.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 S.D.J.M. Munger in connection with Complaint Case No. 274 © of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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