

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61035 of 2017

Arising Out of PS.Case No. -340 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Awadh Bihari Prasad @ Awadh Bihari Prasad Gijyanshu S/o Ram Ekbal
Ram, Resident of Mohalla-Gupta Market, Raja Bazar, Bailey Road, P.S.-
Air Port, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection
with Ghorasahan P. S. Case No. 340 of 2015 registered under
Sections 406, 420 and 506/34 of the Indian Penal Code and 3
and 4 of Dowry Prohibition Act.

It is submitted by the learned counsel for the
petitioner that the entire allegation made in the first information
report is baseless. He submitted that it is true that there was
some negotiation for marriage, but as the son of the petitioner
did not agree for marriage, the daughter of the informant could



not be married to the son of the petitioner. He submitted that no demand of dowry was made in respect of marriage at any point of time.

On the other hand, learned Additional Public Prosecutor for the State submitted that it is a gross case of cheating of an innocent person by realizing certain amount and then refusing to marry his son.

Considering the facts and circumstances of the case and the submissions made above, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikrahana, Dhaka, East Champaran in Ghorasahan P. S. Case No. 340 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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