

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4413 of 2018**

Arising Out of PS.Case No. -583 Year- 2017 Thana -PATRAKARNAGAR District- PATNA

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1. Mirtunjay Kumar aged about 28 Years, S/o Laxmi Narayan Singh, R/o Mohalla- Rajendra Nagar, Bahadurpur Gumati, Sumitra Sadan Road No. 13C, P.S.- Kadamkuan, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Panchu Ram

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      01-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Patrakar Nagar P.S. Case No. 583/2017 dated 02.11.2017 instituted for the offence under Sections 3 and 4 of the Dowry Prohibition Act, 1961.

The marriage of the daughter of the informant was fixed to be solemnized with the petitioner but sometimes prior to the marriage, Rs. 30,00,000/- was demanded.

The F.I.R. reveals that while such a demand had been put up by the father of the petitioner, the petitioner also, on telephone from London, told the informant point blank that he shall not marry without payment of Rs. 30,00,000/-.

Learned counsel for the petitioner, however, has



submitted that from the reading of the F.I.R. itself, it would appear that only because the marriage between the petitioner and the daughter of the informant could not be solemnized, that the present case has been lodged in anger. It has further been submitted that when the marriage was fixed, there was no demand of any dowry and it appears to be rather improbable that later, such a demand would be put up.

Learned counsel for the petitioner has also informed this Court that now the petitioner is happily married but because of the pendency of the present case, his employer has withdrawn him from England and presently he is working in India.

Learned counsel for the petitioner has also argued that Section 3 of the D.P. Act shall not get attracted and if at all the petitioner can be made accused in any case, the mischief of Section 4 of the D.P. Act would be attracted which entails maximum punishment of six months.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Sub Judge Xth-cum-A.C.J.M., Patna in connection with Patrakar Nagar P.S. Case No.



583/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Ashutosh Kumar, J.)**

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