

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47010 of 2018

Arising Out of PS. Case No.-1751 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Laxmi Devi, W/o Babu Lal Mahto,
 2. Binod Mahto S/o Babu Lal Mahto,
 3. Babu Lal Mahto S/o Late Narsingh Mahto, All are R/o Mohalla-
Lal Bazar, Noniya Toli, Gurudwara Road No. 33, Baliya Nagar,
District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lal Babu Mahto S/o Khedu Mahto, R/o Basvariya Daroga Tola, Ward No.30,
P.S.- Nagar Bettiya, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Complaint case no.
1751-C of 2016 instituted for the offence under Section(s) 406.
of the Indian Penal Code and Section 4 of D.P. Act.

It is alleged in the complaint petition that complainant
had fixed the marriage of his sister with co accused Rakesh
Kumar. The accused persons made demand of Rs. 4,50,000/-
for the expenses of marriage and the complainant gave Rs.
1,50,000/- to the petitioners. It is further alleged that
complainant gave Rupees three lac on the occasion of pujai and



made request to fix the date of marriage. But the petitioners refused to fix date for marriage due to non fulfillment of demand of Bolero Vehicle. The complainant made demand of his money then they refused to return the money and also refused to marry with the complainant's sister.

Learned counsel for the petitioner has submitted that now the matter has been compromised between the parties. The compromise petition has also been filed in the learned Court below.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Complaint case no. 1751 of 2016. S.C no. 1282 of 2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, West Champaran Bettiah, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and



absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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