

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18001 of 2018

Arising Out of PS.Case No. -106 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Hari Narayan Mandal, s/o late Dharamdeo Mandal,
 2. Shakuntala Devi, W/o Hari Narayan Mandal,
 3. Sanjeev Kumar @ Sanjeev Kumar Mandal, S/o Hari Narayan Mandal,
 4. Sunita Devi, W/o Sanjeev Kumar Mandal, all are r/o village- Tarwa,
P.O.- Duldulia, P.S.- Pirpanti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raj Kumar Modi, S/o Late Sideshwar Modi, R/o Village- Lalharia, P.S.-
Kasba, District- Purnea at present R/o Village- Tirasi, P.S.- Gopalpur,
District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Complaint**
Case No.106 of 2016 instituted for the offence under Section(s)
406, 420, 500/34 Indian Penal Code and Section 34 of the Dowry
Prohibition Act.

Counsel for the petitioners has submitted that
petitioners are parent, brother and sister-in-law of co-accused,
Rana Pratap, with whom it is alleged that marriage of daughter of
the Complainant was fixed, but later on his marriage was
solemnized with another girl, namely, Guriya Kumari of village-



Jhanjhara, P.S.-Parsaha, District-Khagaraia, because the Complainant could not pay rupees two lac as dowry.

It has been submitted that co-accused, Rana Pratap, has already been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 17.01.2018 passed in Cr. Misc. No.54716 of 2017.

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.106 of 2016**, 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 **Judicial Magistrate, 1st class, Naugachia, Bhagalpur**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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