

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9332 of 2018

Arising Out of PS.Case No. -2377 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN (MOTIHARI)

=====

1. Rajdeo Giri, Son of Rajdeo Giri,
2. Anil Giri, Son of Rajdeo Giri, Both residents of Village- Jaga Pakar, P.S.-
Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Subhash Giri @ Subash Giri, Son of Late Bhairow Giri, Resident of
Village- Dhekha Bazar, P.S.- Motihari Muffasil, District- East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 20-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Tr. No.1821 of 2017 arising out of Complaint Case No.C-2377 of 2016 , registered for offences punishable under Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is that marriage was fixed with the daughter of the complainant and thereafter they demanded some land for which the complainant has given Rs.2,60,000/- to Sunil Giri, who is the land owner but later on they refused to marry and money has not been returned.

Submission of the learned counsel for the petitioners is that



even according to the complainant, money was given to Sunil Giri and not to the petitioners as such there is no question of returning the amount.

Heard learned A.P.P. also.

In this case notice was issued to the O.P.No.2 and the same has been received by his son and a petition of jointness has also been filed and nobody appears on behalf of O.P.No.2.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Miss Preeti, J.M., Sadar Motihari in connection with Tr. No.1821 of 2017 arising out of Complaint Case No.C-2377 of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.



With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

