

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18285 of 2018

Arising Out of PS.Case No. -73 Year- 2016 Thana -RANIYATALAB District- PATNA

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1. Avinash Kumar, son of Bishwanath Yadav, resident of village-
Haibashpur, P.S.- Rani Talab, P.O.- Saidabad, District- Patna.
.... Petitioner/s

Versus

1. The State of Bihar.
2. Sudama Prasad Yadav, son of Rajeshwar Prasad Yadav, resident of
village- Kanpa, P.S.- Rani Talab, District- Patna.
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 25-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Rani Talab P.S.**

Case No.73 of 2016 instituted for the offence under Section(s)
406, 420 Indian Penal Code.

In the written report, there is allegation that marriage
of this petitioner was fixed with the daughter of the Informant. At
the time of engagement, rupees two lac was given. On the day of
engagement, ring, chain etc. were also given but finally marriage
could not be performed because of demand of dowry of rupees
four lacs.

Counsel for the petitioner has mentioned in para 13



and 25 of the bail petition that inter-caste marriage of the petitioner has been performed with Supriya Sinha in Arya Samaj Mandir (Trust), Delhi, on 03.05.2016. As per information of the petitioner, marriage of daughter of the informant has also been solemnized.

Counsel for the petitioner has further submitted that father of the petitioner has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 22.02.2018 passed in Cr. Misc. No.4496 of 2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Rani Talab P.S. Case No.73 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Danapur, Patna**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence



on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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