

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46951 of 2018

Arising Out of PS. Case No.-417 Year-2018 Thana- KANKARBAG District- Patna

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1. Mukta Mehta @ Rinki, W/o Vijay Kishore Mehta,
 2. Vijay Kishor Mehta S/o Late Krishna Mehta, Both the petitioners are R/o Kankarbagh More Kankarbagh, P.S.- Kankarbagh, District- patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek Anticipatory bail in connection with Kankarbagh P.S. Case No. 417 of 2018 registered under Sections 498A/34 and 376 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

Informant who is the victim herself, in her written complaint has stated that son of the petitioners Ashutosh Anand had established physical relation with her for two years on promise that he will marry her and on 06.03.2018 petitioners who are parents of the Ashutosh Anand made dowry demand Rs. 10 lakhs. When the father of the informant refused to pay the demand of dowry then petitioners and (their son)Ashutosh Anand refused to perform marriage.

It has been submitted on behalf of the petitioners that



petitioners are innocent and have been falsely implicated in this case. It has been further submitted that though there was love affairs between the informant and son of the petitioners Ashutosh Anand but no promise regarding performing marriage was made. It has been further submitted that Statement of victim was also recorded under Section 164 of Cr.P.C. in which she stated only against her husband. During investigation, nothing against these petitioners. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kankarbagh P.S. Case No. 417 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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