

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10939 of 2018

Arising Out of PS. Case No.-288 Year-2016 Thana- FATUHA District- Patna

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1. Bisheshwar Tanti, son of Baidyanath Tanti
 2. Raj Kuamr Tanti, son of Bisheshwar Tanti, Both resident of Village-
Amari, P.S. Khaira, District- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shashi Shekhar Sharma, Advocate

For the Opposite Party : Mr. Mustaque Alam (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioners and
learned counsel representing the State.

The petitioners apprehend their arrest in connection with Fatuha P.S. Case No. 288 of 2016 , registered for the offence punishable under Section 420 of the Indian Penal Code and Section 3/4 of D.P. Act.

Allegedly, the informant settled marriage of his niece with the son of petitioner no.1 and ring ceremony was performed on 29.01.2015. On the same day the petitioner no.1 took Rs. 02 lakhs as dowry for constructing house and further took Rs. 03 lakhs for purchasing vehicle but later on they started demanding Rs. 10 lakhs more as dowry for fixing the date of marriage.

Submission is of false implication and that the petitioners never took any amount from the informant, they have



never demanded any amount from the informant, the informant had not given any amount to the petitioners, as a matter of fact the informant wanted to marry his niece, who is not even matriculate and she is hard hearing with the son of the petitioners no.1 who is block teacher in up-graded middle school, Baharopare under Barhat P.S. in Jamui District. Taking dowry and giving dowry both are offences and, as such, the informant cannot take shelter of the law.

The learned A.P.P. opposes the prayer of pre-arrest bail but fairly submits that giving dowry is also an offence.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Jamali Jamal, J.M. 1st Class. Patna City, in connection with Fatuha P.S. Case No. 288 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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