

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27032 of 2018

Arising Out of Complaint Case No.-521 Year-2017 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. Vishwanth Singh, son of Late Ram Deyal Singh,
 2. Upendra Yadav @ Upendra Kumar, son of Vishwanath Singh,
Both are resident of Village- Chawariya, P.S.- Sanjhauli,
District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bhim Singh, son of Late Hajari Singh, resident of Village- Mirasari, P.O.+
P.S.- Tilauthu, District- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a complaint case,
wherein, process has been directed to be issued after cognizance
being taken for the offences punishable under Section 3 of the
Dowry Prohibition Act.

The prosecution case is that the complainant, Bhim Singh,
negotiated marriage of her daughter, namely, Renu Kumari with
petitioner no.2, Upendra Yadav, who was Group-D employee of
the Railway. It is alleged that the accused persons demanded
Rupees Three Lac from the informant for bribing to get
petitioner no.2 promoted to the higher post. Subsequently,
Rupees Two Lac and Ten Thousand was transferred to the bank



account of Laljhari Devi, the mother of petitioner no.2 and wife of petitioner no.1. Thereafter, when the informant went to the house of the accused persons to fix the date of marriage of her daughter with petitioner no.2, it was conveyed to him that petitioner no.2 has now been promoted to the post of TC, hence, he will have to pay further Rupees Ten Lac for fixing the date of marriage of her daughter with petitioner no.2.

It is submitted by learned counsel for the petitioners that payment was not made to the petitioners' side, rather it was deposited in the account of Ravindra Kumar Singh, who was mediator and said Ravindra Kumar Singh has transferred the alleged amount to the account of the complainant, as gets reflected from the impugned order. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur learned APP for the State that there is specific accusation against the petitioners.

Considering the nature of accusation and the fact that the alleged amount was deposited in the account of Ravindra Kumar Singh (mediator), coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be



released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sasaram in connection with Complaint Case No. 521 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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