

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30705 of 2018

Arising Out of PS. Case No.-427 Year-2017 Thana- RUPASPUR District- Patna

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1. Laxmi Narayan Sharma, S/o Late Shyam Charan Sharma,
2. Kanti Devi W/o Laxmi Narayan Sharma,
Both are R/o Vill.- Satnag, Post Office-Satnag, P.S.- Chandi,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

te Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018 The matter has been taken up out of turn, since the learned
counsel for the petitioners is having some personal difficulty.

It is submitted by learned counsel for the petitioners that
petitioner no.1 has been arrested, hence, he seeks permission to
withdraw this application with regard to petitioner no.1.

Permission is accorded. Accordingly, this application is
disposed of as withdrawn against petitioner no.1.

Heard learned counsel for the petitioners and learned APP
for the State.

The petitioner no.2 is apprehending arrest in a case
registered for the offences punishable under Sections
406/420/34 of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

The prosecution case got initiated on the basis of written



report dated 20.11.2017 submitted by Vijay Thakur to the Station House Officer, Rupaspur Police Station to the effect that the informant fixed the marriage of his daughter, namely, Namrata Kumari with the son of the petitioners namely Pankaj Kumar Sharma. On 5th July, 2017, the engagement was performed when Rupees Twelve lakh was given to the accused persons. Subsequently, the accused persons demanded a car and further dowry to get the marriage performed, and as such, the marriage could not be performed.

It is submitted by learned counsel for the petitioners that, at no point of time, the engagement of the son of the petitioners was performed with the daughter of the informant. There is no proof with regard to any payment made to the petitioner. Moreover, the thrust of accusation is against her husband and her son. A statement has been made in paragraph no.3 of the petition that the petitioner no.2 is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against petitioner no.2 also to have demanded further dowry.

Considering the nature of accusation and the petitioner, is a lady and is having no criminal antecedent, let petitioner no.2



above named 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) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Danapur, in connection with Rupaspur P.S. Case No.427 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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