

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20475 of 2018

Arising Out of PS.Case No. -138 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Nagendra Panjiyar, S/o Dhanraj Panjiyar,
2. Rabish Kumar Nigam S/o Nagendra Panjiar,
Both are R/o Village- Araria, P.S.- Kanhauli, District- Sitamarhi.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Panjiyar & Anr.

For the Opposite Party/s : Mr. The State of Bihar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend arrest in connection with
Sonbarsa P.S. Case No. 138 of 2007 registered for the offences
punishable under sections 341, 323, 504, 506, 406, 420/34 of the Indian
Penal Code and section 4 of Dowry Prohibition Act.

Allegation against the petitioner no. 1 is that he demanded
Rs.7,00,000/- and a 'Glamour' motor cycle from the informant for
performing the marriage of his son (petitioner no. 2) with the daughter
of informant.

It has been submitted that in course of negotiation for
marriage the informant had stated that his daughter was a government
employee but in fact, she was not in service, vide Annexure-2, and
therefore negotiation for marriage could not be materialized. Thereafter,
the informant in order to put pressure on the petitioners to perform the



marriage of his son with his daughter against their wishes has lodged this case. The other co-accuseds have already been allowed bail by one of the coordinate Bench of this Court in Cr. Misc. No.15504 of 2018.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the nature of allegation, facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within a period of six weeks, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 138 of 2007, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioners will not induce any witness or tamper with the evidence. (3) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

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