

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13278 of 2018

Arising Out of PS.Case No. -86 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Saudagar Sah, S/o Late Daya Shankar Sah,
2. Ram Vishwas Sah @ Ramavishwash Sah S/o Saudagar Sah, Both R/o
village- Vokhatha, P.S.- Mejorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Babu Prasad Sah, S/o Late Veer Lal Prasad Sah, R/o Vora Mahai,
P.S.- Chiraiya, District- East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.86 (C) of 2016 , registered for offences punishable under Sections 420, 406, 504 & 506 of the Indian Penal Code.

Allegation against the petitioners as per the complaint petition is that marriage of the petitioner no.2, who is son of the petitioner 1 was fixed with the daughter of the informant and at that time Rs.05 lac was given and later on he refused to return the money.

Submission of the learned counsel for the petitioners is that though earlier the marriage of the daughter of the informant was fixed with the son of petitioner no.1 and as the petitioner no.2 was not agree for marry with her that is why the marriage was not



solemnized and further submission is that he has taken Rs.05 lack as alleged by the informant/ complainant but there is no proof of that also except the statement in the enquiry.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dhaka, (East Champaran) in connection with Complaint Case No.86 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

