

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2359 of 2018

Arising Out of PS.Case No. -305 Year- 2015 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Mukesh Kumar, S/o Late Manik Chand, resident of Village- Chandi, Tola- Mushari, P.O.+ P.S.- Chandi, District- Nalanda, A/P resident of Mohalla- Madhukum, Jamuna Nagar Ranchi, P.S.- Sukhdeo Nagar, District- Ranchi, State- Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Sao, S/o Rajendra Sao, resident of Village+ Police Station- Parvalpur, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Complaint Case No.305-C of 2015** instituted for the offence under Section(s) 406 Indian Penal Code.

It is alleged in the Complaint Petition that marriage of daughter of the Complainant was fixed with this petitioner on 01.12.2014 and the informant agreed to give gift of rupees three lac and other items to the petitioner and also paid rupees two lac one thousand to the petitioner, but the petitioner made demand of dowry due to which marriage could not be performed.

Counsel for the petitioner has submitted that there is no documentary evidence in support of such allegation. Petitioner



has not taken any amount from the Complainant. There is general and omnibus allegation against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Complaint Case No.305-C of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-I, Nalanda at Biharsharif**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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