

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.67197 of 2018

Arising Out of PS. Case No.-193 Year-2018 Thana- DHAKA District- East Champaran

Manoj Kumar, Son of Sri Rameshwar Prasad Kushwaha @ Remeshwar Pd.,
resident of village- Nandpur Dhekahan, Police Station- Motihari Muffasil,
District- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 20-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Dhaka P.S. Case No.193 of 2018** instituted for the offence under Section(s) 420, 406, 493/34, 376 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

In the written report, it is alleged by the informant, Kavita Kumari, that she is student of BA. Petitioner is posted as Teacher in neighboring village. Negotiation for marriage of the petitioner with the informant was made between the father of both parties. Father of the petitioner made demand of rupees five lac as dowry to which father of the informant agreed. Thereafter, the petitioner used to take the informant at his residence and establish physical relationship with her. The informant and her family members opposed then father of the



petitioner told that he has accepted informant as his daughter-in-law. The date of marriage was also fixed and invitation card was printed by father of informant. The petitioner and his family members made further demand of rupees three lac, TV, Washing Machine etc. for which Panchayati was held, but the marriage was not solemnized.

Counsel for the petitioner submits that instant case has been filed just to give pressure upon petitioner to perform marriage with informant. The informant in the written report has mentioned that she has established physical relationship with the petitioner voluntarily.

Petitioner is in custody since 25.08.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Sikrahna, East Champaran**, in connection with **Dhaka P.S. Case No.193 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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