

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5486 of 2019

Arising Out of PS. Case No.-346 Year-2018 Thana- JAKKANPUR District- Patna

Pranav Prakash, Son of Sri Ashok Kumar Choubey, R/o House No. 33/12,
Ground Floor, Lakshmi Niwas, Old Rajendra Nagar, P.S- Rajendra Nagar,
New Delhi-110060

... .. Petitioner/s

Versus

1. State Of Bihar
2. Smt. Bimla Tiwari, Wife of Sri O.P. Tiwari, R/o Flat No. 103, Jasumati
Enclave, Kannulal Road, Mithapur, P.S.- Jakkanpur, Town and Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dayanand Singh
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Purushotam Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-01-2019 Heard learned Counsel for the petitioner, learned
Counsel for the Informant and learned Additional Public
Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Jakkanpur Police Station Case No. 346 of 2018,
disclosing offences under Sections 406 and 420 of the Indian
Penal Code and Section 3/4 of Dowry Prohibition Act.

The allegation is that marriage of the informant's
daughter was fixed with the petitioner after negotiation.
Allegedly, some money and certain articles were given to the
petitioner by bride's side as consideration for marriage. There
was further demand of dowry by the petitioner and his family



members and since, the informant and her family members' inability to pay further amount, the petitioner has declined to marry the informant's daughter, it is alleged.

Learned Counsel for the informant has vehemently opposed the prayer for anticipatory bail on the ground that the petitioner has not returned the entire amount which were paid to the petitioner's father and mother for marriage.

This is a dispute which can be resolved in appropriate proceeding. I do not find any reason why privilege of anticipatory bail should not be given to the petitioner.

Considering the above, this application is allowed.

Let the petitioner, Pranav Prakash, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate – I, Patna, in connection with Jakkanpur Police Station Case No. 346 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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