

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4805 of 2019

Arising Out of PS. Case No.-338 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Pradeep Kumar S/o Late Ram Murti @ Late Ram Murti Mahto Resident of
Village-Fateha, near Mushari gumti, P.S.- Bachhwara, District- Begusarai
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Hajipur Sadar P.S. Case No. 338 of 2018 for the offence under Sections 406 and 420 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It is alleged that the marriage of the petitioner was, after negotiation, settled with the informant's daughter. Allegedly, some amount and articles were given to the petitioner's family as consideration for marriage. Allegedly, the accused persons demanded more money as dowry and when the informant refused to oblige, the petitioner and his family members refused to marry the informant's daughter.

Learned counsel appearing on behalf of the petitioner, while taking the allegation of receiving any amount as dowry, has submitted that no offence under Section 406 of



the Indian Penal Code cannot be said to be made out. Other members of the family have been granted anticipatory bail by this Court.

Considering the above facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in Hajipur Sadar P.S. Case No. 338 of 2018, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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