

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19915 of 2019

Arising Out of PS. Case No.-481 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Bhola Chaudhary Son of Arun Chaudhary @ Arun Kumar Chaudhary R/o Village- Bahora Bigha, P.S.- Moffasil, District- Gaya
 2. Arun Kumar Chaudhary @ Arun Chaudhary Son of Late Sukhlal Chaudhary R/o village- Bahora Bigha, P.S.- Moffasil, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari D/o Late Kauleshwar Chaudhary R/o Mohalla- Pehani Neemtar, P.S.- Buniadganj, District- Gaya

. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashish

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-04-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No.481 of 2017 registered under Sections 420 and 34 of the Indian Penal Code.

The complainant alleged that her marriage was settled with petitioner no.1. Petitioner no.2 is father of petitioner no.1. Both petitioners took more than Rs.4 lacs at the time of settlement of marriage. The date was fixed for marriage but the petitioners refused to marry with the complainant.

Learned counsel for the petitioners submits that in fact the petitioners did not receive any dowry. The marriage of petitioner no.1 was settled with the complainant. One Jitendra



Chaudhary, who is an accused in Buniyadganj P.S. Case No.54 of 2014, threatened the petitioners that if petitioner no.1 marries with the complainant, he would be killed. It is submitted that on account of such threat, the negotiation was broken. The mother of the complainant had lodged the case for kidnapping and murder of her grand daughter against Jitendra Chaudhary and others. There is no chit of paper to show that the petitioners received any dowry at the time of settlement of marriage.

Having considered the facts and the nature of allegation against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Complaint Case No.481 of 2017 (T.R. No.1326 of 2018), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

