

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19627 of 2019**

Arising Out of PS. Case No.-969 Year-2017 Thana- AURANGABAD COMPLAINT CASE  
District- Aurangabad

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1. TEJBAL KUMAR GUPTA S/o Sankar Saw R/o Mohalla- Babuganj, P.S.-  
Rafiganj, District- Aurangabad
  2. Sankar Saw S/o Late Shyam Sunder Saw R/o Mohalla- Babuganj, P.S.-  
Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonu Kumar Gupta S/o Sidheshwar Gupta R/o Mohalla- Khira Khurd, Post-  
Dara Nagar, P.S.- Nauhata, District- Rohtas at Sasaram

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjit Kumar  
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

4      25-06-2019                      Heard.

The petitioners apprehend their arrest in connection with Complaint Case No.969 of 2017 registered under Sections 323 and 406 of the Indian Penal Code besides Section 3 of the Dowry Prohibition Act, pending in the court of the Chief Judicial Magistrate, Aurangabad.

The accusation is that the opposite party no.2 along with his father and other relatives settled the marriage of his sister Nilam Kumari with the petitioner no.1, who is the son of the petitioner no.2. At that time, the opposite party no.2 had given cash Rs.1,00,000/- clothes and sweets. Thereafter, when the opposite party no.2



approached the petitioners for fixing the date of marriage of his sister, they demanded one bullet motorcycle in dowry and refused to fix the date of marriage of his sister on showing the inability to give the bullet motorcycle in dowry by the opposite party no.2.

Learned counsel for the petitioners submits that while the opposite party no.2 negotiated with the petitioners to perform the marriage of his sister with the petitioner no.1 but due to some reason, the marriage could not be settled and the opposite party no.2 with an ulterior motive has lodged the present case. Moreover, the opposite party no.2 made complaint before the Public Grievance Cell in this regard where, on inquiry, the allegation levelled against the petitioners was found false.

Having considered the facts and the circumstances of the case, the provisional anticipatory bail granted to the petitioners vide order dated 02.04.2019 passed by a Bench of this Court is, hereby, confirmed.

**(Rajendra Kumar Mishra, J)**

P.S./-

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