

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26897 of 2019

Arising Out of PS. Case No.-2292 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Dheeraj Kumar @ Dhiraj Kumar Son of Late Dasrath Kumar, Resident of Village - INS, Vikramaditya, Karwar, P.S.- Karwar, Karnataka.
 2. Usha devi Wife of Late Dasrath Kumar, Resident of Dashrath Niwas, Chaity Tola, Mahendru, P.S.- Pirbahore, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shimran Devi D/o Amar Nath Singh, Resident of Tenant in the house of Badri Babu Narayan Bhawan, Tikiya Toli, Chaity Tola, P.S.- Sultanganj, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-04-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No.2292(C) of 2018 for the offences allegedly committed by the petitioners under Section 420 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The complainant alleged that Dheeraj Kumar (petitioner no.1) is her neighbour and he got job. Petitioner no.1 made proposal for marriage with the complainant and offered to drink with him and after taking drinks the complainant became



unconscious. She further alleged that when she got her consciousness, she found herself in half naked condition. It is further alleged that the marriage of the complainant was settled but later on Dheeraj Kumar and his mother demanded dowry and they broke the negotiation.

Learned counsel for the petitioners submits that the entire allegation is false and concocted. Petitioner no.1 never proposed to marry with the complainant. There is no chit of paper to show that the petitioners received any dowry or demanded any additional dowry on the pretext of marriage. It is submitted that the first occurrence is said to have taken place in the year 2011 but the complaint petition was filed on 30.05.2018 only after seven years of the first occurrence.

Having considered the facts and the nature of allegation made 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 S.D.J.M., Patna in connection with Complaint Case No.2292(C) of 2018, subject to the conditions



as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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