

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24167 of 2019

Arising Out of PS. Case No.-711 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Shiv Nandan Sah Son of Mukhlal Sah, Resident of Village - Lala Chhapra, P.S.- Kesariya, Distt.- East Champaran.
 2. Gopal Kumar Son of Shiv Nandan Sah, Resident of Village - Lala Chhapra, P.S.- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manoj Sah Son of Panna Lal Sah, Resident of Village - Hasanpur, P.O.- Kotwa, Barharwa kala, P.S.- Kotwa, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh, Advocate
		Mr.Rakesh Kumar No.1, Advocate
For the Opposite Party/s :		Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-04-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No.711 of 2017 registered under Sections 323, 504, 420, 406, 379 and 34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

The complainant alleged that the marriage of his daughter was settled with petitioner no.2 (Gopal Kumar) on 01.02.2017 but both the petitioners (father and son) demanded additional dowry and thereafter negotiation was broken. The petitioners are alleged to have assaulted the complainant and snatched money when the complainant approached.



Learned counsel for the petitioners submits that on the same and similar allegation Kesariya P.S. Case No.143 of 2017 was registered. The police after investigation submitted final form finding the accusation against the petitioners false. Thereafter the complainant filed complaint case in which after enquiry prima-facie case under section 406 of the I.P.C. and under section 3/4 of the D.P. Act is found to proceed against the petitioners.

Having considered the facts that on same and similar allegation the police after investigation submitted final form finding the accusation against the petitioners false, 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., Sadar at Motihari in connection with Complaint Case No.711 of 2017 (Trial No.2371 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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