

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47618 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- MAHILA P.S. District- Sheohar

UPENDRA KUMAR @ UPENDRA THAKUR Son of Shivnath Thakur
Resident of Village - Sirsiya Jagdish, P.S.- Kathaiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sheohar Mahila P.S. Case No. 04 of 2019, disclosing offences under Sections 420 and 406/34 of the Indian Penal Code, including Sections 3 and 4 of the Dowry Prohibition Act, 1961.

It transpires from the written statement of the informant, which is the basis of the FIR that allegedly marriage of the petitioner was finalized after negotiation with the informant's daughter and, subsequently, as a condition precedent for the marriage between the two, a demand of dowry was made by the father and uncle of the petitioner.

Learned counsel, appearing on behalf of the petitioner, while denying the allegation made in the FIR, has



contended that the criminal case has been lodged only to put undue pressure because the negotiation of marriage itself had failed.

Considering the nature of allegation, 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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned S.D.J.M. Sheohar in connection with Sheohar Mahila P.S. Case No. 04 of 2019, subject to the condition 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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