

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59736 of 2019

Arising Out of PS. Case No.-235 Year-2019 Thana- PATLIPUTRA District- Patna

-
1. SANJAY KUMAR Son of Yogendra Prasad Singh Resident of Village- Taregna Math, P.O.- Masaurhi, P.S.- Masaurhi, District- Patna.
 2. Yogendra Prasad Singh @ yogendra prasad Son of Late Ramdeo Prasad Resident of Village- Taregna Math, P.O.- Masaurhi, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Nitu Singh W/o Dipu Kumar Singh Resident of Mainpura (Milki Nala Par), P.O.- G.P.O., P.S.- Patliputra, District- Patna, Mob.- 7631132314.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary
For O. P. No. 2	:	Mr. Ajit Kumar Ojha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Patliputra Police Station Case No. 235 of 2019, disclosing offences under Sections 341/323/504/420/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the petitioners misrepresented regarding the fact that the petitioner no. 1 was a Constable in



Bihar Police and got his marriage fixed with the help of petitioner no. 2 with the daughter of Opposite Party No. 2 and engagement had taken place between the petitioner no. 1 and the daughter of the informant and the date of marriage was fixed on 06.05.2019. It has further been alleged that the Opposite Party No. 2 came to know that the petitioner no. 1 was not employed in police service and was also a drug addict. Accordingly, the marriage between the parties fixed on 06.05.2019 was cancelled by the side of the Opposite Party No. 2 and the Opposite Party No. 2 alleged that at the time of engagement, a sum of Rs. 1,70,000/- was given by the side of the Opposite Party No. 2 to the petitioners.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case with oblique motive inasmuch as no misrepresentation was made by the petitioners to the Opposite Party No. 2 and the Opposite Party No. 2 was very well aware about the status of petitioner no. 1 and other members of his family. He further submits that no amount was received by the petitioners from the side of the Opposite Party No. 2. However, without prejudice to right and contention of the petitioners, learned Counsel for the petitioners submits that the petitioners are ready to pay a sum of Rs.



75,000/- to the Opposite Party No. 2 within a period of eight weeks from today in her Bank of India bank account no. 442810110009085, IFSC Code BKID0004428. He further submits that the first instalment of Rs. 50,000/- shall be paid by the petitioners positively within a period of four weeks from today.

The offer made by learned Counsel for the petitioners has been accepted by learned Counsel for the informant-Opposite Party No. 2.

Having regard to the above, let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 Sub-Judge XII -cum- Additional Chief Judicial Magistrate, Patna, in connection with Patliputra Police Station Case No. 235 of 2019, subject to the conditions (i) laid down under Section 438 (2) of the Code of Criminal Procedure, (ii) that a sum of Rs. 50,000/- shall be paid by the petitioners to the Opposite Party No. 2 within a period of four weeks from today and the petitioners, at the time of surrender, shall attach the proof of payment of a sum of Rs. 50,000/- along with their surrender -cum- bail application



and (iii) the petitioners will pay the rest amount positively by 25th November, 2019.

It is made clear that if the petitioners deviate from the conditions, as above, the Opposite Party No. 2 shall be at liberty to move an appropriate application before an appropriate forum in accordance with law.

This application is allowed with the observations, as above.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

