

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75721 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- BAGENGOLA District- Buxar

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1. Vinod Kumar aged about 36 years (Male)
 2. Dashrath Kumar aged about 45 years (Male)
 3. Pramod Kumar aged about 33 years (Male)
- Petitioners no. 1 to 3 are sons of Late Kishori Chouhan. All resident of Village - Ghatavan, P.S.- Kudra, District - Kaimur (Bhabhua).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 04-12-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Bagen Gola P.S. Case No. 12 of 2019 registered for the offence under Sections 406, 420, 120(b), 504, 506 & 34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

As per F.I.R., the informant has alleged that he had settled the marriage of his daughter with one Lav-Kush Chouhan and *Chheka* (engagement) was also performed, but due to demand of one Maruti Car, the marriage could not be performed. It is also alleged that the accused persons have also grabbed cash amount of Rs. 6,36,000/- (six lacs & thirty six thousand) from the informant.

It is submitted on behalf of petitioners that petitioners



have falsely been implicated in this case. They are even not the family member of co-accused Lav-Kush Chouhan. They are, in fact, *gotiya* of Lav-Kush Chouhan. It is further submitted that on perusal of F.I.R., it appears that the petitioners have played no role in the alleged negotiation of marriage nor they have got any connection with the alleged amount of Rs. 6,36,000/- and as such, Section 420 of the Indian Penal Code does not made out against the petitioners. The petitioners are also having clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Bagen Gola P.S. Case No. 12 of 2019 on the following conditions:

(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.



(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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