

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81426 of 2019

Arising Out of PS. Case No.-791 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua)

1. SHAMU KUSHWAHA S/O Shrawan Kushwaha R/o Village Sawath, P.S. Diurgawati, District Kaimur at Bhabua.
2. Shrawan Kushwaha S/o Kapildev Kushwaha R/o Village Sawath, P.S. Diurgawati, District Kaimur at Bhabua.
3. Laxmina Devi W/O Shrawan Kushwaha R/o Village Sawath, P.S. Diurgawati, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 20-12-2019 Heard counsel for the petitioners and counsel
appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Bhabua P.S. Case No. 791 of 2018 for offences under Sections 420, 406 of the Indian Penal Code and Section 3/ 4 of Dowry Prohibition Act.

Allegation against the petitioners is that marriage of petitioner no. 1 was fixed with the daughter of the informant and at the time of engagement the informant gifted Rs. 51,000/- cash and golden ring. Thereafter petitioner no. 2 has borrowed Rs. 2 lacs for marriage of his daughter and promised to refund the



amount. It is further stated that date of marriage of his daughter was fixed then accused persons have refused to refund his money and asked for motorcycle in dowry.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. The story of borrowing Rs. 2 lacs from the informant is totally false. This case has been lodged by the informant as pressure tactics when the petitioners refused marriage of petitioner no. 1 with the daughter of the informant.

Considering the nature of allegation levelled, the Court is of the view that petitioners deserve bail. Let the petitioners, above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S.Case No. 791 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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