

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8491 of 2020

Arising Out of PS. Case No.-151 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SUJEET KUMAR @ SUJEET KUMAR YADAV Son of Puranvashi Yadav
Resident of Village - Argana Tola, Rampur, P.S.- Laukariya, District - West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalan Yadav Son of Late Dedhai Yadav @ Late Chhedi Yadav, Resident of
Village - Hamira Jamadar Tola, P.S.- Chautarwa, District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vijay Kr Singh No. 1
For the Opposite Party/s :	Mr.Ram Bilash Roy Raman
	Mrs. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-06-2020 The present petition has been taken up for

consideration through the mode of Video conferencing in view

of the prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard the learned counsel for the petitioner and Mrs.

Anita Kumari Singh, the learned APP for the State.

The petitioner apprehends his arrest in connection

with Tr. No. 3877 of 2017, arising out of Complaint Case No.

151 of 2017 for the offence punishable under Sections 141, 323,

504/34 & 408(A) of the Indian Penal Code .

The accusation of the complainant against the

petitioner is that the marriage of the daughter of the complainant

and the petitioner was solemnized on 30.05.2014 and at the time



of marriage, huge dowry was given to the petitioner, however, subsequently, the daughter of the complainant was tortured on account of non-fulfillment of demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, is having a clean antecedent and has been falsely implicated in the present case and the fact is that the daughter of the complainant had never gone to her in-law's place and, in fact, the complainant had subsequently solemnized the marriage of his daughter with another person. In this connection, the learned counsel for the petitioner has relied upon the marriage card of the daughter of the complainant with another person, which is at Annexure-2 to the present petition. The learned counsel for the petitioner has also relied on a certificate issued by the Mukhiya of the village to the effect that the daughter of the complainant namely Seema Kumari has solemnized marriage with one Manoj Yadav on 18.02.2018. It is thus submitted that the complaint case lodged by the complainant is apparently false and though the marriage of the daughter of the complainant was solemnized with the petitioner, however, she never visited the house of the petitioner and, in fact, has married another person, thus the entire allegation levelled against the petitioner are false.



Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that the petitioner has produced marriage card with regard to marriage of the daughter of the complainant with another person, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to verification of the aforesaid marriage card and the certificate of the Mukhiya by the learned court below.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd, Bagaha, District West Champaran, in connection with Tr. No. 3877 of 2017, arising out of Complaint Case No. 151 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure and further subject to aforesaid verification to be conducted by the learned court below.

(Mohit Kumar Shah, J)

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