

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15237 of 2020

Arising Out of Case No.-3545 Year-2018 PATNA COMPLAINT CASE District- Patna

1. SIKANDAR CHOUHAN @ SAKINDAR JAMADAR Son of Late Bideshi Chouhan R/o Village- Bela, P.S.- Wena, District- Nalanda.
2. Sharma Chouhan @ Shravan Kumar Son of Shri Sikandar Chouhan @ Shakindra Chouhan R/o Village- Bela, P.S.- Wena, District- Nalanda.
3. Shivnandan Chouhan @ Shivndan Chouhan @ Shivan Noniya Son of Harindar Chouhan @ Harihar Noniya R/o Village- Bela, P.S.- Wena, District- Nalanda.
4. Sumitri Chouhan @ Fulawa Devi Wife of Shri Shivnandan Chouhan @ Shivan Noniya R/o Village- Bela, P.S.- Wena, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Ram Pravesh Chouhan R/o Village- Dharampur, P.O.- Mahmmadpur, P.S.- Phulwarisharif, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramanath Kumar
For the State	:	Mr.Manoj Kumar
For the complainant	:	Mr. Suraj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-09-2020 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 3545 (C)/ 2018 registered under Section 420, 406, 341, 323, 34 of the IPC.

The complainant alleged that marriage of her daughter was settled with Guddu Chauhan, son of petitioner No.1, but on the date of marriage the bridegroom did not come to the house of complainant along with Baratis. It is further alleged that



many articles were given at the time of negotiation.

The learned counsel for the petitioners submits that in fact Baratis were coming for solemnizing marriage but they met with an accident and many persons were injured. The petitioners requested father of the bride to extend the date of marriage but the complainant and her husband got their daughter married somewhere else only thereafter the petitioner No.1 solemnized marriage of his son. Guddu Chauhan, the bridegroom, has already been granted anticipatory bail vide order passed in Cr. Misc. No. 15077/2020 and petitioners are father and family members of the bridegroom.

The learned APP and the learned counsel for the complainant opposed the prayer for anticipatory bail and submitted that petitioners did not come to the house of complainant on the date of marriage and later on they solemnized marriage of Guddu Chauhan before the marriage of daughter of the complainant. The petitioners have misappropriated the articles given at the time of engagement ceremony.

Perused the complaint petition.

It appears that, of course, marriage of son of petitioner No.1 was settled with the daughter of complainant but on the



date of marriage it appears that, as submitted, an accident took place in which many persons were injured, therefore, the petitioners could not come to the house of the bride but later on marriage of bridegroom was settled somewhere else. Guddu Chauhan, the bridegroom, has already been granted anticipatory bail.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Ritu Kumari, learned Judicial Magistrate, 1st class, Patna in connection with Complaint case No. 3545 (C)/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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