

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16250 of 2020

Arising Out of PS. Case No.-268 Year-2018 Thana- KESARIA District- East Champaran

1. JITENDRA DAS s/o Asharfi Das
2. Lakhindra Das s/o Asharfi Das
3. Sanjay Das s/o Baiju Das
all are r/v-Dilawarpur (Dharopali), P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Kesariya P.S.
Case No. 268 of 2018, registered for the offences punishable
under Sections 406, 420 and 34 of the Indian Penal Code and
section 3/4 of the Dowry Prohibition Act.

Prosecution case in brief is that marriage of
informant's daughter Kumari Punam was settled with the
petitioner no.1 and dowry as per the capacity of informant was
offered and marriage was to be performed 10.07.2018. Faldan



and other functions were also performed. But on 03.07.2018, co-accused Satendra Das and Ashrafi Das came to the door of the informant and demanded a Bullet motorcycle and Rs. 1,50,000/- in cash, otherwise marriage of petitioner no.1 would not be performed with the daughter of informant. The people of informant side tried to pacify the matter, but the accused persons including this petitioner no. 1 were adamant on the said demand.

It is submitted that petitioners have been falsely implicated in this case. No such occurrence has ever taken place. There is delay of seven days in lodging of the FIR and there is no plausible explanation for the same. In fact that the informant has cheated the petitioners showing another daughter, and wanted to marry her with the petitioner no. 1, so he denied and therefore, the informant lodged this false case. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Additional Chief Judicial Magistrate



III, Motihari, East Champaran in connection with Kesariya P.S.
Case No. 268 of 2018, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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