

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77025 of 2019

Arising Out of PS. Case No.-117 Year-2017 Thana- KINJAR District- Jehanabad

Munna Kumar @ Pappu Kumar @ Pappu Yadav Son of Upendra Yadav
Resident of Village - Chandhos Mathiya, P.S.- Sigori, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 341/323/324/379/34 of the I.P.C.

Prosecution case, in brief, is that the complainant has filed a complaint before CJM, Arwal on 23.06.2017 alleging that he has settled marriage of his sister with Munna Kumar @ Pappu Kumar with the help of family members and relatives of Munna Kumar. The main role was played by accused Bashisht Yadav who took accused person Munna Kumar @ Pappu Kumar at Kinjer Bazar where the date of marriage was fixed for 17.06.2017, the marriage was scheduled to be solemnized at Kinjar Surya Mandir for which father of the informant has given cloths and one motorcycle as gift. According to scheduled time,



date and place the marriage programme was going on but at the time of giving Sindur-Dan all the accused persons started to demand Rs. 3,00,000/- as dowry on refusal and request made by informant's side accused persons took away Rs. 10,000/- from the pocket of informant after abusing and assaulting them and on the basis of said complaint the learned Chief Judicial Magistrate, Arwal has sent the complainant to police station for registration of FIR under section 156(3) of the Cr.P.C. and FIR was lodged on 11.12.2017 for offence under sections 341, 323, 324, 379 and 34 of the IPC but learned Lower court has taken cognizance in the section 341, 323, 379, 504, 34 of the I.P.C. and sections 3/4 of the D.P. Act on 29.05.2018.

It has been submitted on behalf of the petitioner that the present case is false and fabricated and petitioner has falsely been implicated in this case. It has further been submitted that the specific allegation of demand and extorting money from the informant is not levelled against the petitioner. It has further been submitted that the allegation against the petitioner is general and omnibus in nature. The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his



arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Arwal in connection with Kinjar P.S. Case No. 117 of 2017, on the following conditions:-

(1) Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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