

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39407 of 2020

Arising Out of PS. Case No.-634 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

PRABHAT KUMAR SAH @ PRABHAT KUMAR SAW son of Shiv Shankar Prasad Saw Resident of Digha Ghat, behind of Post Office, Police Station- Digha, District- Patna, at present I.O.C. Barauni, L.N.T., C.I.S.F., Quarter No.- 33, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State in virtual Court.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner apprehends his arrest in connection with Begusarai P.S. Case No. 634 of 2019 registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The prosecution case, on the basis of written report of the informant Laxmi Sah, is that the ring ceremony of his daughter Khusbu Kumari was performed with the petitioner,



namely, Prabhat Kumar Sah and after completion of function of the ring ceremony, the parents of the petitioner put condition that after giving negotiation money, the marriage will be fixed.

Learned counsel for the petitioner submits that Section 498(A) of the I.P.C. is not attracted because marriage was not solemnized.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Begusarai P.S. Case No. 634 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

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