

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21717 of 2022

Arising Out of PS. Case No.-4076 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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1. TARAKANT JHA Son of late Rajbahadur Jha @ Mantun Jha Resident of Village - B-46, Saibaba Residency, kailash Nagar, P.s.- Bairagarh, Distt.- Bhopal Madhya Pardesh.
 2. Padmavati Jha @ Panki Jha @ Padma Jha W/o Tarakant Jha Resident of Village - B-46, Saibaba Residency, kailash Nagar, P.s.- Bairagarh, Distt.- Bhopal Madhya Pardesh.
 3. Avinit Kumar @ Avinit Kumar Jha Son of Tarakant Jha Resident of Village - B-46, Saibaba Residency, kailash Nagar, P.s.- Bairagarh, Distt.- Bhopal Madhya Pardesh.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Ballabh Kumar Pandey Son of Chandramohan Pandey Resident of Village - Chhota Brahmpur Brahman Toli, P.s.- Bhagwan Bajar, Distt.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar
For the Opposite Party/s : Mr. Binod Kumar
Mr. Tej Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2022

Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Section 406, 500 of the Indian
Penal Code and u/s 3/4 of Dowry Prohibition Act.

As per the prosecution case, marriage of daughter of
complainant was fixed with co-accused, Aayush Jha but after
taking dowry of Rs. 10 lacs as dowry petitioners and other
accused persons refused to marry with daughter of informant.



Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that after some negotiation marriage could not be finalized and taking advantage of the situation the complainant filed this false and frivolous case. It is next submitted that marriage of Aaush Jha and the daughter of informant has already been solemnized with some other persons. It is also submitted that negotiation of marriage took place in the year 2018, ring ceremony was held on 06.07.2019, marriage was refused on 04.08.2019 but the complaint was filed on 26.11.2019 without any explanation for delay. Moreover, thrust of accusation is against co-accused, Aayush Jha. Petitioners have got clean antecedent.

Learned counsel appearing for the State and the Complainant opposed the prayer for anticipatory bail and submitted that petitioners are named in the complaint petition and there is specific accusation against them that they after taking Rs. 10 lacs refused to marry the daughter of complainant.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall 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 Sub divisional Judicial Magistrate,
Saran at Chapra in connection with Complaint case No. 4076/
2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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