

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21658 of 2022

Arising Out of PS. Case No.-497 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Mansur Alam Son of Aziz Mian Resident of Village- Hira Pokar, P.S.-
Manuapul, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2022 Heard counsel for the petitioner, counsel for the
informant and the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406,
504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, marriage of the
informant's daughter was fixed with the co-accused Chand Babu
and accordingly, engagement ceremony was performed. It is
further alleged that informant gave cash of Rs. 5,00,000/- as
dowry to the petitioner and date of marriage was fixed on
23.05.2021. However, on the said date of marriage the Barat
Party did not come. Later on, informant came to know that co-
accused Chand Babu @ Md. Salman Aziz wanted to marry with



some other girl and for that reason Barat Party did not come on the fixed date, therefore, informant asked the petitioner to return the cash of Rs. 5,00,000/-, but he refused to return the money and also refused to solemnize marriage of his son with her daughter.

It is submitted that thrust of accusation is against co-accused Chand Babu @ Md. Salman Aziz who is already in custody. Petitioner is father of co-accused Chand Babu @ Md. Salman Aziz. Petitioner never demanded or took any dowry. The alleged occurrence took place on 27.06.2021, but the FIR was lodged on 02.09.2021 without any plausible explanation. No chit of paper or any document has been filed in support of allegation. It is only when negotiation of marriage failed this false case has been lodged.

Counsel for the informant vehemently opposed the prayer for bail and submitted that petitioner is named in the FIR and this petitioner along with co-accused Chand Babu @ Md. Salman Aziz took cash of Rs. 5,00,000/- as dowry and refused to marry the daughter of informant.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of



receipt/production of a copy of this order, is directed to 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 497 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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