

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2807 of 2021

Arising Out of PS. Case No.-146 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

Barun Kumar @ Barun, aged about 26 years, S/O Sri Radhey Shyam Mahto
Resident of Ramnagar Colony, P.O. And P.S.-Danapur, Town And District-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Mahto S/O Late Dasrath Prasad Mehta Village - Gadi Bishanpur, P.O.
and P.S. - Piri Bazar, Distt. - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Kumar, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

10 29-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Piri Bazar P.S. Case No. 146 of 2019 dated 23.12.2019 instituted for the offences under Sections 420/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The marriage of the petitioner was fixed with the daughter of the Informant but the petitioner and his family members never arrived at the venue of marriage, leaving the Informant with no choice but to cancel the marriage. The money spent in the preparation of marriage also has gone completely waste.



The learned counsel for the petitioner has submitted that the accusation is wholly false and with a purpose to coerce the family members to anyhow solemnize the marriage of the daughter of the Informant with the petitioner. In support of the aforesaid contention, Mr. Pratyush Kumar, learned advocate has submitted that the marriage hall was fixed only for Rs. 41,000/- at Patna which appears to be doubtful but, the case has been lodged at Lakhisarai and that also after one month of the scheduled date. The learned counsel for the petitioner therefore has hinted that all these evidences have been created in order to justify the lodging of this case against the petitioner, who is presently serving the Indian Army.

Notice was directed to be issued to the opposite party no.2 for which requisite etc. was filed by the petitioner. It appears from the office notes that the notice was received by the mother of the opposite party no.2 and the petitioner has been diligent enough to file an affidavit of jointness of opposite party no.2 with his mother.

There is no appearance on behalf of the opposite party no.2 till date.

Considering the nature of accusation against the petitioner, the provisional bail granted to him vide order dated



22.07.2021 is hereby confirmed. The petitioner shall remain on the same bail bonds.

The application is allowed accordingly.

(Ashutosh Kumar, J)

rishi/-

U		T	
---	--	---	--

