

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64459 of 2021**

Arising Out of PS. Case No.-296 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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1. LAL BABU SAH Son of Late Ganga Sah Resident of Village- Shaynagar, P.S.- Muffasil, District- East Champaran.
  2. Mahesh Sah Son of Late Nagina Sah Resident of Village- Shaynagar, P.S.- Muffasil, District- East Champaran.
  3. Mina Devi W/o- Lal Babu Sah Resident of Village- Shaynagar, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Kumar, Advocate  
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      12-10-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his daughter's marriage was fixed with son of petitioner no.1, namely Sanjay Sah, in which gift worth Rs. 3,50,000/- along with some ornaments were given, it is next alleged that before the marriage could be solemnized the



informant came to know that Sanjay Sah has been married to some other girl, accordingly the panchayati was convened for returning the item gifted from the side of the informant but the same was not returned.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that no gift or any money was given by the informant to the petitioner no.1 or his family members or his son, it is also submitted that it is not in dispute that marriage was fixed but before the marriage could be performed, the daughter of the informant fled with another boy, on account of which the marriage had to be called off. It is next submitted that the daughter of the petitioner no.1 has instituted Mufasil P.S. Case No. 312 of 2021 dated 16.06.2021 against the present informant and his family members, in which one of the allegations is that daughter of the present informant fled prior to the date fixed for marriage with Sanjay Sah. The learned counsel for the petitioners next submits that even presuming what is alleged is true without admitting for the purposes of anticipatory bail then the informant has remedy available in law and definitely a criminal case is an abuse of the process of Court.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mufasil P.S. Case No. 296 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Shivam/-

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