

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69489 of 2021

Arising Out of PS. Case No.-162 Year-2021 Thana- JAMHOR District- Aurangabad

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Rajendra Pandey @ Rajendra Singh, Son of Late Harihar Singh, Resident of
Village- Barouli, P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Manish Kumar No.2, Advocate
		Mr. Gajendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Jamhor P.S. Case No. 162 of 2021 registered
for the alleged offences under Sections 406, 504 and 506/34 of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

As per prosecution case, the informant fixed the
marriage of his daughter with the son of the petitioner.
Allegedly, the informant paid Rs.10 lakhs towards total dowry



demand of Rs.22 Lakhs. But later on, the petitioner raised this demand to Rs. 30 lakhs. When the informant demanded back his money, the petitioner hurled abuses and threatened him with false implication in rape case along with his wife, daughter and *samdhi*.

The learned counsel for the petitioner submits that no occurrence as alleged has ever taken place. The petitioner has neither demanded any dowry nor has taken anything from the informant. No evidence has been brought on record to show the payment made to the petitioner by the informant. When the petitioner refused to marry his son with the daughter of the informant he has been falsely implicated in this case. So there appears no material on record to show the breach of trust and demand of dowry by the petitioner. The petitioner is in custody since 23.10.2021 and charge-sheet has been submitted. The petitioner is having clean antecedent

Learned APP and learned counsel appearing on behalf of the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner should at least return the money taken from the informant.

Perused the records.



Having regard to the submissions made hereinabove and considering the period of custody and the submission of charge-sheet against the petitioner along with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Aurangabad in connection with Jamhor P.S. Case No. 162 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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