

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25087 of 2023

Arising Out of PS. Case No.-482 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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1. VIJAY KUMAR MANDAL SON OF LATE DURGA MANDAL TARI JORE POLICE STATION MATIGANA TARI SILLIGURI DISTRICT DARJEELING WEST BENGAL
 2. GAUTAM KUMAR MANDAL SON OF VIJAY KUMAR MANDAL TARI JORE POLICE STATION MATIGANA TARI SILLIGURI DISTRICT DARJEELING WEST BENGAL
 3. ANITA DEVI WIFE OF VIJAY KUMAR MANDAL TARI JORE POLICE STATION MATIGANA TARI SILLIGURI DISTRICT DARJEELING WEST BENGAL

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAJESH PRASAD SON OF LATE CHHOTE LAL MAHTO RESIDNET OF VILLAGE- GARDEN BAZAR , PS- KOTWALI, DISTT- MUNGER

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karuna Nath Sahay
For the Opposite Party/s	:	Mr. Vinod Shanker Modi
For the O.P. No.2	:	Mr. Manoj Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-12-2023 Heard learned counsel for the petitioners and learned A.P.P.

for the State assisted by learned counsel for the opposite party
no.2 .

2. The petitioners apprehend their arrest in a case registered for
the offences punishable under Sections 420 and 406/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. In the complaint petition, it is alleged that co-accused,



Ambika Prasad, being a middle man, negotiated for marriage of second daughter of the complainant and ring ceremony was performed. Co-accused Ambika Prasad demanded Rs.5 lacs so that the petitioner no.1 can purchase flat in Mumbai. Complainant transferred to Rs.3 lacs in the account of petitioner no.2 and Rs.1,85,000/- was given in cash to petitioner no.3 at Silliguri. When the marriage was denied by the accused persons, the complainant asked petitioner no.1 to return his money but no satisfactory reply was given. It is further alleged that neither the expenses incurred on ring ceremony nor the cash money or the money which was transferred in the bank account has been returned to him.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the entire case of the prosecution is false, fabricated, concocted and afterthought to pressurize these petitioners to marry with the daughter of the complainant and nothing else. It is further submitted that co-accused, Ambika Prasad and Anand Kumar have been granted anticipatory bail on 06.01.2023 by the learned Court



below and the case of the petitioners stand on better footing.
Petitioners have no criminal antecedent as mentioned in para-3
of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let
the above named petitioners, be released on bail, in the event of
their arrest or surrender before the learned Court below within a
period of six weeks from today, on furnishing bail bond of
Rs.25,000/- (Rupees Twenty Five Thousand) each with two
sureties of the like amount each to the satisfaction of the learned
lower Court where the case is pending/successor Court in
connection with Complaint Case No.482C of 2019, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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