

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28662 of 2023

Arising Out of PS. Case No.-789 Year-2022 Thana- TURKAULIYA District- East
Champaran

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1. Ramprit Yadav @ Jhagru Yadav @ Ramprit Rai Son Of Mangnee Yadav
R/O Village- Fulwar, P.S.- Banjaria, District- East Champaran
 2. Brij Bihari Kumar Yadav @ Brij Bihari Kumar Son Of Ramprit Yadav @
Jhagru Yadav @ Ramprit Rai R/O Village- Fulwar, P.S.- Banjaria, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Turkauliya P.S. Case No.789 of 2022 registered for the offences punishable under Sections 384 and 386 of the Indian Penal Code and Section 67 of the I.T. Act. The petitioner no. 1 has got one criminal antecedent in which he is on bail whereas petitioner no.2 has got no criminal antecedent.

3. As per the prosecution story, the informant alleges that before 6-7 months he talked to these petitioners



for marriage of his daughter but due to non-fulfillment of demand of dowry they denied to solemnize the marriage. Thereafter when the informant solemnized the marriage of his daughter with one Abhishek Kumar, the petitioners started demanding Rs.5,00,000/- as rangdari and threatening to disturb the matrimonial life of his daughter. Thereafter the petitioner no.2 created a fake ID on facebook and started uploading the vulgar photographs of the daughter of the informant on social media and also started messaging the son-in-law of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the fact is that earlier the petitioners denied to marry with the daughter of the informant and for that reason the informant has filed this false case.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case, on noticing that the specific allegation of uploading the vulgar photographs of the daughter of the



informant is against Brij Bihari Kumar Yadav @ Brij Bihari Kumar (petitioner no.2), this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.2. His prayer is refused.

7. In case the petitioner no.2 surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

8. So far as petitioner no.1 is concerned, he is father of petitioner no.2 and there is no specific allegation against him, therefore, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner no. 1 above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Turkauliya P.S. Case No. 789 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. And further condition that the court below shall verify the criminal antecedent of the petitioner no.1 and in



case at any stage it is found that the petitioner no.1 has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no.1. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. This application is partly allowed.

(Rajeev Ranjan Prasad, J)

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