

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39044 of 2023**

Arising Out of PS. Case No.-488 Year-2022 Thana- SUGAULI District- East Champaran

1. KANHAIYA JHA Son of Lal Babu Jha Resident of Village- Koraiya, Police Station- Sugauli, District- East Champaran
2. Kiran Devi @ Kinam Devi Wife of Kanhaiya Jha Resident of Village- Koraiya, Police Station- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      28-07-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Sugauli PS Case No. 488 of 2022 dated 12.11.2022 registered under Section 420 , 406 , 500 and 34 of the IPC and Section 3 / 4 of the Dowry Prohibition Act.

3. As per the FIR marriage of the daughter of the informant Neha Kumari was fixed with the son of the petitioners Nandan Kumar Jha in the year 2021 and a sum of Rs. 10 Lakh was decided as marriage expenses and date of marriage was fixed on 22/04/2022. It has further been alleged that the petitioner no. 1 informed the informant that leave of his son was



not sanctioned therefore the date of marriage would be fixed later on as per suitability and the leave. On 16-06-2022 the informant contacted the petitioner no. 1, then he demanded a Four Wheeler and on refusal, the marriage of the daughter of the informant with the son of petitioners was cancelled.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and the demand of dowry by petitioner no. 1 for solemnization of marriage of son of petitioners with daughter of the informant is completely false and concocted. He further submits that marriage negotiation between the parties had taken place but due to some reason it could not be materialized, and as such, the present FIR has been lodged in order to pressurize the petitioners.

5. Regard being had to the submission made by the parties, taking into consideration the submission made by learned counsel for the petitioners, the nature of allegation and the fact that marriage of son of petitioners has already been solemnized elsewhere, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli PS Case No. 488 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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