

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59418 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- GAUNAHA District- West Champaran

RAGHUBEER KUMAR @ RAGHUBIR KUMAR S/o RAMESH MAHTO
R/o VILLAGE-SHRIRAMPUR, P.S.- GAUNAHA, DISTRICT-WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs.Pruna Anand
For the Opposite Party/s :	Mr.Choubey Jawahar
	Mr. Sachidanand Pd. Rai

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

11 27-07-2023

Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 406 of the Indian Penal Code and u/s $\frac{3}{4}$ of Dowry Prohibition Act.

3. As per the prosecution case, marriage of daughter of informant with petitioner was fixed and at the time of engagement golden chain, golden ring and clothes worth Rs. 25,000/- was given. On 03/12/2020 Hero Honda motor cycle worth Rs. 81,000/- was also purchased in the name of petitioner. Altogether there was expense of Rs. 2,70,000/- for the purpose of marriage of daughter of the informant. It is further alleged that on 06/03/2021 petitioner's father came at the house of informant and demanded Rs. 2,00,000/- for expenditure of marriage and on refusal by the informant father of the petitioner threatened him to marry his son with another girl. Thereafter, the informant along with his relatives came at the house of petitioner but father of the petitioner refused to solemnize marriage without taking dowry.

4. Learned counsel appearing for the petitioner



submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that at no point of time petitioner took any dowry. It is next submitted that since the negotiation of marriage of this petitioner with the daughter of informant failed, this false case has been lodged with a view to extract money.

5. Learned counsel appearing for the informant opposes the prayer for anticipatory bail and submits that petitioner is named in the FIR and there is direct and specific allegation of demand of dowry for solemnizing marriage and due to non fulfillment of demand the marriage was not solemnized.

6. Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on pre arrest bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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