

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54965 of 2023**

Arising Out of PS. Case No.-214 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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MRITUNJAY KUMAR @ VIKASH KUMAR S/O KISHORE THAKUR
R/O VILLAGE- GHORAGHAT, P.S- FORBESGANJ, DISTT.- ARARIA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. JAGANNATH THAKUR S/O LATE GOPAL THAKUR R/O VILLAG-
GAWALPARA, P.S- GAWALPARA, DISTT.- MADHEPURA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikramadit
For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 06-12-2023 1. Heard learned Counsel for the petitioner, learned counsel
appearing for the complainant and learned Additional
Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 214 of 2022, disclosing offences
under Sections 420/406/120(B)/34 of the Indian Penal
Code.
3. The prosecution case, as per the complaint case, is that
marriage of the complaint's daughter was fixed with the
petitioner on a total gift amount of Rs. 11,00,000/-. The
ring ceremony was performed on 13.06.2022.



Complainant gave Rs. 10,50,000/- to the petitioner and remaining amount of Rs. 50,000/- was transferred in the bank account of the co-accused-Abhimanyu Kumar@Babloo on 02.07.2022. The petitioner, alongwith other accused persons started demanding more money by saying that the petitioner has now become Government servant. Despite several requested being made by the complaint, the petitioner and his family members neither performed the marriage with the complainant's daughter nor did they return the money received by them.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis concocted story in order to pressurize the petitioner to perform marriage with the daughter of the complainant. No material is available on record to show that the petitioner was given Rs. 10,50,000/- by the complaint, as such, the allegation of demand of dowry is baseless.
5. On the other hand, learned counsel for the opposite party no. 2 submits that Rs. 10,50,000/- was given in cash and remaining amount of Rs. 50,000/- was transferred in the bank account of the co-accused. He next submits that the



petitioner and his family members demanded more dowry on the ground that the petitioner had become Government teacher.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, in connection with Complaint Case No. 214 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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