

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69861 of 2022

Arising Out of PS. Case No.-56 Year-2021 Thana- KAJRAILCHAK District- Bhagalpur

1. Sachidanand Sharma @ Schchidanand Sharma S/O Late Ram Prasad Sharma R/O Village- Shasan, P.S- Punsiya, District- Banka
2. Kaushal Sharma @ Kaushal Kumar Sharma S/O Sachidanand Sharma @ Schchidanand Sharma R/O Village- Shasan, P.S- Punsiya, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Kumar Sharma S/O Shivnandan Sharma R/O Village- Naya Tola Simariya, P.S- Kajraili, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioners are named in the F.I.R. and apprehended his arrest in connection with Kajraili P.S. Case No.56 of 2021 registered for the offences punishable under Sections 406, 420, 506 and 34 of the Indian Penal Code.

The allegation against the petitioners is to raise the demand of dowry while negotiating marriage with the daughter of informant and as same could not materialize, marriage was denied to be performed and also not to return Rs.80,000/-



(Rupees Eighty Thousand) received as dowry in advance.

Learned counsel appearing on behalf of the petitioners submitted that petitioners have been falsely implicated in this case and amount as alleged to be deposited with one Pankaj Kumar and Nilu Sharma is of long back. It is submitted that Pankaj Kumar and Nilu Sharma both are relative of informant and in capacity they were paid Rs.40,000/- (Rupees Forty Thousand) each on 09.12.2019 and 21.02.2020 respectively. It is submitted that F.I.R. was lodged on 03.07.2021, where marriage was alleged to be scheduled on 08.03.2020 that is almost after one and half years, due to oblique motive. While concluding argument it is submitted that none of the petitioners received any amount from informant and they are men of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as admittedly the financial transactions were not made with petitioners, who are men of clean antecedent, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks, be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Bhagalpur/concerned court below where the case is pending in connection with Kajraili P.S. Case No.56 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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