

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6701 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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1. Ranjan Kumar S/O MOGAL SAH @ Mogal Prasad, VILL./MOHALLA-
HOUSE NO. 450, SAVITRI NIWAS, MAA BHAGWATI MARKET GALI,
GOKUL MARG, ARSANDEY, P.O.- KANKE, PS. KANKE, DIST.
RANCHI, JHARKHAND.
 2. SONI KUMARI W/O RANJAN KUMAR VILL./MOHALLA- HOUSE
NO. 450, SAVITRI NIWAS, MAA BHAGWATI MARKET GALI, GOKUL
MARG, ARSANDEY, P.O.- KANKE, PS. KANKE, DIST. RANCHI,
JHARKHAND.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Harendra Nath Ojha, Advocate.
For the Opposite Party/s : Mr.Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Heard Dr. Harendra Nath Ojha, learned counsel

appearing on behalf of the petitioners and Mr. Jagdhar Prasad,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Madhubani Town P.S. Case No. 280 of 2023 registered for
the offence punishable under Sections 420 and 406/34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

3. As per the allegation made in the F.I.R., the
petitioners along with other accused persons have committed



fraud with the informant by demanding dowry and for non-fulfillment of the same, they have broken the engagement and the accused with whom the daughter of the informant was to marry refused to solemnize marriage.

4. Learned counsel appearing on behalf of the petitioners submitted that the main allegation is against the brother-in-law of the petitioner no.1 who had promised to marry with the daughter of the informant and the petitioners have no role in the alleged commitment of marriage or any demand of dowry.

5. Mr. Manoj Kumar Jha, learned counsel tendered his appearance on behalf of the informant and submitted that the main accused is the petitioner who had negotiated the marriage with his brother-in-law with the daughter of the informant and he had demanded dowry and in the ring ceremony / engagement huge amount of Rs.7,00,000/- was invested by the informant.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the nature of allegation made in the F.I.R. as well as the fact that it is admitted by the parties that the petitioner is the brother-in-law of main accused who had promised to marry with the daughter of the informant and



during the ring ceremony / engagement certain amount were invested amounting to Rs. 7,00,000/-, the petitioners being the outsider cannot be held responsible for the same nor there is any allegation that they had received any amount, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani in connection with Madhubani P.S. Case No. 280 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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