

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5379 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- MUFFASIL District- Aurangabad

Gaurav Kumar Son of Ram Ayodhya Singh Resident Of Village- Baghoi, P.S-
Haspura, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Singh, Adv.

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Aurangabad (M) PS Case No. 377 of 2023 dated 04-09-2023,
instituted under Sections 387/34 of the IPC and Section 3/4 of the
Dowry Prohibition Act.

3. The case of the prosecution is that informant
Vidhesh Kumar Singh arranged marriage of his daughter Rani
Kumari with Gaurav Kumar. On 10.05.2023 *Chheka* ceremony
of the bridegroom took place. Later on, the informant deposited
Rs. 12 lakhs in the account of petitioner's father. They also
gifted a gold ring and Rs. 8 lakhs in cash. On 10.07.2023, father
of the petitioner called the informant and informed him that he
would not get his son Gaurav (petitioner) married to his



daughter Rani Kumari and demanded a dowry of Rs. 25 lakhs. Later on, brother of the petitioner returned Rs. 12,31,000/- in the account of son of the informant, but he allegedly has failed to return Rs. 7,60,000/- paid in cash, which resulted into institution of the present FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that so far the allegation for committing extortion under section Section 387 of the I.P.C. is concerned, the material on the record does not show any such charge. The allegation regarding demand of dowry against the father of the petitioner, who received 12 lakhs in his bank account from the informant and later on, brother of the petitioner returned Rs. 12,31,000/- in the bank account of the son of the informant. It is further submitted that petitioner is a Software Engineer at Pune. It is next submitted that there is no demand by the petitioner. The other co-accused of this case have been granted anticipatory bail by the learned Court Court itself. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Aurangabad, in Aurangabad (M) PS Case No. 377 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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