

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30266 of 2024

Arising Out of PS. Case No.-517 Year-2022 Thana- PATNA CITY CHOWK District- Patna

1. Chandan Prasad, aged about 28 years, Male, S/O Ravi Yadav @ Braj Lall Prasad Yadav, R/O Humad Gali, P.S- Chauk, Distt.- Patna.
2. Kundan Kumar @ Kundan Raj, aged about 25 years, Male, S/O Ravi Yadav @ Braj Lall Prasad Yadav, R/O Humad Gali, P.S- Chauk, Distt.- Patna.
3. Abhiraj Yadav, aged about 21 years, Male, S/O Ravi Yadav @ Braj Lall Prasad Yadav, R/O Humad Gali, P.S- Chauk, Distt.- Patna.
4. Braj Lall Prasad Yadav @ Ravi Yadav, aged about 62 years, Male, S/O Narayan Prasad Sinha @ Laxmi Narayan Prasad Singh, R/O Humad Gali, P.S- Chauk, Distt.- Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shantam Shivam, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chowk P.S. Case No. 517 of 2022 dated 05.12.2022 for the offences punishable under Sections 406, 420 of the I.P.C. and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the marriage of the informant's daughter was fixed with the petitioner no. 1 and Rs. 10,00,000/- in cash was gifted and the petitioner no. 1 was gifted golden chain and ring worth Rs. 2,50,000/-, clothes were



gifted to his family members worth Rs. 75,000/- and watch worth Rs. 10,000/-. It is further alleged that Rs. 3,00,000/- was also spent on booking of the hall and food. When the informant alongwith the Mediator went to fix the date of marriage of his daughter, the petitioner nos. 1 to 3 threatened and demanded further Rs. 20,00,000/- from the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the occurrence took place on 01.03.2022 and the F.I.R. has been lodged on 05.12.2022 after a lapse of nine months and delay in lodging the F.I.R. has not been explained by the prosecution. It is further submitted that the petitioners neither demanded any dowry for the marriage nor any gift has been given to the petitioners by the informant. The petitioner no. 1 has filed an inforamatory petition vide I.A. No. 3629 of 2022 and thereafter the present false case has been lodged by the informant against the petitioners. It is further submitted that the petitioner no. 1 is an employee in Metro Railway in Delhi, the petitioner nos. 2 and 3 are the students and the petitioner no. 4 is the father of the petitioner nos. 1 to 3 and is a retired government servant. It is further submitted that no case under Section 420 of the I.P.C. is made



out against the petitioners. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City in connection with Chowk P.S. Case No. 517 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7 . The application stands allowed.

(Chandra Prakash Singh, J)

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