

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28147 of 2024

Arising Out of PS. Case No.-3229 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Prabhat Kumar Son of Sri Bhola Nath @ Bhola Prasad @ Bhola Nath Sahu
Resident of Village- Mananpur, P.O.- Kawakol, Dist.- Nawada - 805106 at
present Faculty, Research Fellow IIT, Delhi

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sitaram Prasad Gupta Son of Late Mewa Lal Gupta R/o House No. 88 Jyoti
Puram Colony, Maurya Path, Bailey Road, P.S.-Rajiv Nagar, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Rajeev Kumar, Advocate
For the Opposite Party/s :	Mr.Dr. Indiwari Kumari, A.P.P. Mr. Raghunandan Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-09-2024 Heard learned counsel for the petitioner, the State
and opposite party no.2 .

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 420, 406/34 of the
Indian Penal Code and section 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the complainant settled
marriage of his daughter namely Pooja Kumari with one Prabhat
Kumar, son of Bhola Nath (petitioner). On 15 of December
2018, said marriage was slated to be solemnized. But on dated
27 of December 2018, Bhola Nath came to house of the
complainant and demanded Rs. 20 lakh for purchasing a Flat.



The complainant, gave Rs. 6 lakhs in the bank account of Prabhat Kumar who is son of Ebola Nath Bhola Nath Sahu on the pretext of expenses of marriage. On dated 19 of February 2019 Ring Ceremony was held in which Rs. 1.5 lakh of the complainant has spent. On dated 20 of March 2019 he went to the house of Bhola Nath for fixing the date of marriage then he again demanded Rs. 20 lakh. Thereafter, the complainant and others family member returned and asked Bhola Nath to return his entire spent money but in Panchayati Bhola Nath forbade to return the money.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has committed no offence and the entire allegation levelled against him is false and fabricated. It is submitted that daughter of complainant is highly qualified and ambitious and the marriage of her daughter was happening against her will, so she married with another person by herself. Moreover, petitioner has not taken not a single penny from opposite party no.2 and the present complaint is nothing but an act of arms twisting for money recovery. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.



6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Patna in Complaint Case No. 3229 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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