

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44388 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Dharmvir Kumar @ Dharmveer Kumar @ Munna @ Dharmveer @ Munna
Son Of Late Krishnandan Singh Resident Of Village - Pali (Nibra), P.O. -
Panditganj, P.S. - Kadirganj, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashmita Rani D/o Sri Kameshwar Prasad Resident of village - Dariyapur,
P.O. - Devdaha, P.s. - Dhanarua, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh
For the State	:	Mr. Dr. Ajeet Kumar
For the Complainant	:	Mr. Ranjit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 29-01-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 504,
506 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

3. As per the prosecution case, it is alleged that
marriage of the complainant was fixed with the petitioner. The
Ring ceremony was held on 22.04.2021, thereafter, Rupees
Twenty Lakh Rupees cash as a gift on several installments along
with ornaments was given by the father/mother of the



complainant to the accused persons but accused persons denied for marriage. The father of the complainant prayed to return the aforesaid amounts but the accused denied to return the said amount.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that when an enquiry was made to Kameshwar Prasad regarding the payment, he refused that he has not received the payment yet, but when the details of his account was verified it was found that the petitioner has already deposited Rs. 15,50,500/- in the account, a photo copy of Bank statement of Kameshwar Prasad is enclosed as Annexure-B to the counter affidavit filed by learned counsel for the State. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail. Learned counsel for the complainant further submits that the Kameshwar Prasad has sold his land and deposited the said amount in his account.

6. Considering the facts and circumstances of the



case and the fact that there is money dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 82(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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