

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67634 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- JALALPUR District- Saran

Nand Kumar Mishra S/O Late Sukhdeo Mishra R/O Village- Mishrawalia, Ps.
Jalalpur, Dist. Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Radhesh Kumar Sharma

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.100)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and the
State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 376/504 of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

3. Learned counsel appearing for the petitioner submits that the specific allegation of establishing physical relation with the informant on the false assurance of marriage is against co-accused Sumit Kumar Mishra and this petitioner happens to be father of said co-accused. Petitioner and other family members are alleged to have demanded dowry and misbehaved with father of the informant when he tried to resolve the issue. Learned counsel submits that as a matter of fact, petitioner's son is in job in Merchant Navy lives outside India and neither any physical relation was established as



alleged nor any dowry was ever demanded. Instant case has been lodged for black mailing for marriage.

4. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six 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 Chief Judicial Magistrate, Saran at Chapra in Jalalpur Police Station Case No. 84 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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