

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79874 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- PARASI District- Jehanabad

1. Shanti Devi @KANTI Devi D/O Satyadev Singh R/O Village- Narayan Bigha, Ps. Parasi, Dist. Arwal.
2. Urmila Devi D/O Lal Bahadur Mahto R/O Village- Narayan Bigha, Ps. Parasi, Dist. Arwal.
3. Anju Devi D/O Byas Mahto R/O Village- Narayan Bigha, Ps. Parasi, Dist. Arwal.
4. Ravi Shankar Kumar @ Ravi Shankar Singh S/O Nand Kishore Singh R/O Village- Narayan Bigha, Ps. Parasi, Dist. Arwal.
5. Shiv Shankar Singh S/O Nand Kishor Singh R/O Village- Narayan Bigha, Ps. Parasi, Dist. Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate.
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Parasi P.S Case No. 45 of 2023 dated 26.05.2023 registered for the offence punishable u/ss 420,



500 read with 34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

4. As per the prosecution case, the marriage of the informant's daughter Rekha Rani was negotiated with the co-accused Jai Shankar Prasad son of Nand Kishore Singh, for which Rs. 11 lakhs was given to the informant and thereafter, on 27.06.2022, ring ceremony was performed and during that course, some gold ornaments, valuable cloths and cash amount were given to the accused side and in spite of repeated requests, the accused persons made pretext to fix the date of marriage. It is further alleged that the accused persons told to execute sale deed of whole property in favor of the co-accused Jai Shankar Prasad and on refusal, the accused side flatly refused to perform the marriage with the daughter of the informant and they have not returned the aforesaid cash amount and articles given to them.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioners are mother, brother, brother's wife and other relatives of the co-



accused, Jai Shankar Prasad. There is general and vague allegation against the petitioners. Learned counsel has further submitted that from bare perusal of the F.I.R., it appears that in negotiation ceremony, Rs. 11 lakh for expenses of *Barat* has given to the co-accused Nand Kishore Singh and other items were gifted to the co-accused, Jai Shankar Prasad, whereas the petitioners only participated in the occasion of said ring ceremony. It is further submitted that there is no direct or specific allegation against the petitioners with regard to take any item by the informant and his family members. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

7. 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/- (Rupees Twenty thousand) each with two sureties of the like amount each to



the satisfaction of learned Court concerned, Arwal in connection with Parasi P.S Case No. 45 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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