

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53289 of 2024

Arising Out of PS. Case No.-994 Year-2023 Thana- SHASTRINAGAR District- Patna

1. Brij Bihari Singh son of Ram Janam Singh Village- Ganesh Bhavan Gali New Sidhaul Dalmiyan Nagar Dist- Rohtas
2. Sanjeev Kumar Singh son of Shivmani Singh R/o- Ps- NTPC Khaira Village- Barki Salaiya Chainpur Dist- Aurangabad

... .. Petitioners.

Versus

1. The State of Bihar
2. VINOD KUMAR SINGH SON OF LATE BEERBAHADUR SINGH R/O- MANAS MARG SHIV SIDDHI SADAN, MAKAN NO. 43, SHIVPUR, P.S.- SHASHTRI NAGAR PATNA, BIHAR-800001

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vishal Vikram Rana, Advocate
For the State	:	Mr. Abhay Kumar Roy, APP
For the O.P. No.2	:	Mr. Rana Bhupendra Narain Singh, Advocate Ms. Babita Kumari, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 26-06-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State as also learned counsel for the opposite party no.2/informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 506/34 of the Indian Penal Code.

3. The allegation in the first information report is that the marriage was fixed between the informant's daughter and the son of petitioner no.1. It was agreed that the informant would be paying an amount of Rs.35 lakhs by way of gift. It has been alleged that Rs.2 lakhs was given in cash in the



hands of Sanjeev Kumar Singh (petitioner no.2), who is the son-in-law of petitioner no.1 and, thereafter, an amount of Rs.6 lakhs was transferred in the account of Pravin Singh, the son of petitioner no.1. It has further been alleged that an amount of Rs.15 lakhs was paid in cash to petitioner no.1. Subsequently, the accused persons denied the marriage and only returned an amount of Rs.6 lakhs, which was transferred into the account of Pravin Singh, while the other amount was not returned.

4. It is submitted by learned counsel for the petitioners that although the marriage negotiations had proceeded between the parties, only an amount of Rs.6 lakhs was transferred into the account of Pravin Singh as expenses and the same has already been returned as would be evident from the first information report itself. It is denied that any cash transaction has taken place between the parties. The allegation of giving Rs.17 lakhs in cash is denied and the same is also not substantiated by any evidence either documentary or oral. It is further submitted that the marriage could not be materialized due to some reasons which were beyond the control of the petitioners. There is no proof of cash transaction but for a bald



allegation made by the informant. During investigation, 6 out of 8 accused persons have been found innocent including Pravin Singh.

5. Learned counsel appearing for the opposite party no.2, however, submitted that he has been duped of an amount of Rs.17 lakhs by the petitioners.

6. Taking into consideration the facts and circumstances of the case as also the fact that an amount of Rs.6 lakhs, which was by way of bank transaction, has already been returned and there is no proof of any cash transaction between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Shashtri Nagar P.S. Case No.994 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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