

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2437 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- BHAGWANPUR District- Begusarai

1. Sone Lal Sah @ Sonelal Shaw S/O Late Ram Swarup Sah Resident of Village- Nola Ward No. 14, P.S.- Bhagwanpur, Dist.- Begusarai.
2. Asha Devi @ Asha Shaw W/O Sonelal Sah @ Sonelal Shaw Resident of Village- Nola Ward No. 14, P.S.- Bhagwanpur, Dist.- Begusarai.
3. Munna Kumar Shah @ Munna Sah S/O Late Ram Swarup Sah Resident of Village- Nola Ward No. 14, P.S.- Bhagwanpur, Dist.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khusbu Devi W/O Ranjan Sah R/O Vill.- Pakahi, P.S.- Bibhutipur, Dist.- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar
For the State	:	Mr.Md. Mushtaque Alam
For the O. P. No. 2	:	Mr. Rohit Raj
		Mr. Anshul Aaryan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-02-2025
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Bhagwanpur Police Station Case No. 273 of 2024, dated 12.09.2024, disclosing offences punishable under Sections 3/4 of the Dowry Prohibition Act, 1961.
 3. The prosecution case, as per the First Information Report, is that on 15.07.2024, the petitioner no. 3 and his son, Aditya Kumar @ Subham, came at the house of the



informant and said that he has found a suitable match for her daughter and suggested the name of co-accused Rohit Kumar. Thereafter, the informant, along with her family members, went to see the boy (co-accused Rohit Kumar). The marriage negotiation took place with the groom's father (petitioner no. 1), after which tilak/shagun ceremony was organized on 07.08.2024 in which a sum of Rs. 1,51,000/- was given to co-accused Rohit Kumar, along with other gold ornaments and clothes, total amounting to Rs. 8,00,000/- as gift. When the informant asked them to fix the date of marriage, the accused persons, including the petitioners, demanded a sum of Rs. 2,50,000/- and one bullet motorcycle as dowry and when the demand was not fulfilled, co-accused Rohit Kumar was married with another girl, namely, Shalini Jaiswal.

4. Learned Counsel for the petitioners submits that the allegation against the petitioners are totally false inasmuch as negotiation had taken place and the engagement was held on 07.08.2024, in which only a sum of Rs. 50,000/- was given as gift to co-accused Rohit Kumar by the side of the informant. He further submits that the allegation that ornaments were given is not



correct and some clothes were only given. However, the cash of Rs. 1,50,000/-, which was allegedly given to co-accused Rohit Kumar is not correct, but the petitioners are ready to refund a sum of Rs. 1,51,000/- to the informant by way of cheque of Rs. 1,50,000/- and Rs. 1000/- in cash.

5. The cheque of Rs. 1,50,000/-, bearing cheque no. 000022, dated 27.02.2025, of Kotak Mahindra bank, in favour of husband of the informant and cash amount of Rs. 1000/- has been handed over to Mr. Rohit Raj, learned Counsel appearing on behalf of the informant today, in the court room itself.
6. Learned Counsel for the informant submits that the allegation against the petitioners are correct, based on the real facts. However, for the purpose of bail and without prejudice to the rights and contentions of the informant, the informant is ready to accept the cheque as well as cash amount given to her by the petitioners.
7. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that a sum of Rs. 1,51,000/- has been handed over to learned Counsel for the informant by



way of cheque and cash in open court, I am inclined to grant the petitioners privilege of anticipatory bail.

- 8. This application is, accordingly, allowed.
- 9. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Begusarai, in connection with Bhagwanpur Police Station Case No. 273 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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