

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34318 of 2014

Arising Out of PS.Case No. -67 Year- 2013 Thana -MAHILA PS District- DARBHANGA

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Upendra Kumar Gupta, S/o Late Bisheshwar Sah, Resident of Village
Kamtaul, P.O. & P.S. - Kamtaul, District - Darbhanga (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2015

Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 323, 498A, 504 of the Indian Penal Code.

The informant Gauri Devi alleged that she was brutally assaulted by her husband (the petitioner) on 01.08.2013.

Learned counsel for the petitioner submits that the occurrence is said to have taken place on 01.08.2013, but the F.I.R. was lodged on 12.08.2013. The wife also filed Kamtaul P.s. Case No. 62/2014. In fact, the petitioner is the victim. Even after 14 years of marriage, the wife is in the habit of filing such cases.

Learned counsel for the informant-wife is present in Court. Learned counsel for the informant opposed the prayer for

anticipatory bail.

It appears that the marriage of the petitioner with the informant was solemnized 14 years ago although the petitioner has submitted that he was married with the informant about 18 years ago. The present case itself is filed after 11 days of the so-called occurrence. The informant also filed Kamtaul P.S. case No. 62/2014. The petitioner is an advocate.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Darbhanga Mahila P.S. Case No. 67/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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