

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5799 of 2015

Arising Out of PS.Case No. -672 Year- 2014 Thana -FORBESGANJ District- ARRARIA

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Dr. Vinod Gupta @ Dr. Binod Gupta Son of Jagannath Gupta Resident of
Saur Bazar, Police Station - Saur Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Annapurna Gupta @ Gudiya wife of Dr. Vinod Gupta, D/o- Tapeswar
Prasad Gupta, at present resident of Ward No. 16 Chhua Patti, Forbesganj,
P.S. Forbesganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 13-05-2015 Heard learned counsel for the petitioner, informant as
also the State.

The petitioner apprehends his arrest in connection with
Forbesganj P.S. Case No. 672 of 2014 registered for the offences
punishable under Sections 498(A), 323, 379, 313, 504/34 of the
Indian Penal Code and Section 34 of the Dowry Prohibition Act.

Today, the matter is placed in Chambers pursuant to the
order dated 27.04.2015 in order to enable the opposite party no. 2
(Annapurna Gupta @ Gudiya) wife of the petitioner (Dr. Vinod
Gupta @ Dr. Binod Gupta) to settle the dispute.

Earlier by the said order, this Court had directed them
to be present in Chambers so that the view of both the parties

could be ascertained.

Having spoken to them individually, I find that the petitioner, namely, Dr. Vinod Gupta @ Dr. Binod Gupta has serious objections against the conduct of the opposite party no. 2 and that even prior to the filing of the present case, he has filed an application for divorce before the Principle Judge, Family Court, Tis Hazari Court, Delhi after giving notice to her. Opposite Party no. 2 has also narrated her story alleging that she is living in Maikay with her brother. During the course of her statement, she has narrated that the petitioner was having illicit relationship with his sister-in-law (elder brother's wife) as such; she was not in a position to tolerate such conduct and that he should not continue the same. She has also alleged that the petitioner had administered her a medicine in full knowledge that such medicine would cause mis-carriage to the child. However, she has stated that despite everything, she is willing to live with her husband namely; Dr. Vinod Gupta @ Dr. Binod Gupta, provided he conducts himself properly.

Having considered all aspects of the matter and firm stand taken by the petitioner that he is not willing to go ahead and continue the marriage with opposite party no. 2 and has decided to pursue the application for divorce as also the view taken by the

opposite party no. 2 that she is willing for reconciliation, it would be appropriate that in order to facilitate the matter of reconciliation, if at all possible, it would be in the interest of justice to, let the petitioner, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 672 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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