

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42128 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Lal Babu Gupta @ Lal Babu Pd. Gupta S/o Late Nathuni Prasad Gupta
2. Pratima Devi W/o Lal Babu Gupta Both are Resident of Village
Ghorasahan (near old post office), P.S. Ghorasahan, District East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shilpi Kumari W/o Santosh Kumar Gupta Resident of Village
Ghorasahan (Near Old Post Office) P.O. Ghorasahan, P.S. Ghorasahan,
District East Champaran at present Resident of Mohalla Harbatika Chowk,
P.O. Bettiah, P.S. Bettiah Town, District West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2015 Heard learned counsels for the petitioners and the

State.

The petitioners being the parents of husband of the
informant are apprehending arrest in a case registered for the
offences punishable under Sections 341, 323, 326, 313, 504 and
498A/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment
of the dowry demand, putting the informant on fire and getting
the pregnancy terminated.



It is submitted by learned counsel for the petitioners that marriage between the son of the petitioners and informant in the year 2013 is admitted. The husband of the informant filed a matrimonial case for restitution of conjugal life and the husband of the informant is still ready to keep the informant as wife with full dignity and honour. A statement has been made in para 2 of the supplementary affidavit that the informant has not received any burnt injury, which reads as follows:-

“That it is humbly submitted that the informant has not received any kind of injury and as such her allegation is palpably false”

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for six months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 65 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners will be confirmed by learned court below on verification of the fact that

the informant has not received any burnt injury. But if the learned court below finds that the informant has received burnt injury then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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