

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49557 of 2014

Arising Out of PS.Case No. -61 Year- 2012 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Jitendra Kumar Gupta, S/o Late Shashi Prasad Gupta, Resident of Village -
Hriday Nagar, P.S. -Birpur, District - Supaul.

.... Petitioner

Versus

1. The State of Bihar
2. Sangita Devi, W/o Jitendra Kumar Gupta, Resident of Village - Hriday
Nagar. At present resident of Village-Basantpur, P.S.-Birpur, District-
Supaul

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Indra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, apprehending his arrest in connection
with Saharsa Complaint Case No. 61 (c) of 2012 registered for the
offences punishable under Section 498(A) of the Indian Penal
Code.

As per the prosecution case, it has been alleged that
the complainant was married to the petitioner in the year 1999 and
she has been blessed with one son and at present the age of her son
is 10 years. It is further alleged that there was a demand of dowry
and on the refusal of the same; the complainant was subjected to
cruelty. Ultimately, it is stated by the complainant that she was
rescued by her bother.

It has been submitted on behalf of the petitioner that
the petitioner is the husband of the complainant. It is further

submitted that as the petitioner was suffering from serious illness and as the complainant refused to co-operate with him during the period of illness. She decided to leave the petitioner. It has further been stated in para 10 of the petition that the health of the petitioner has improved but she, the complainant has not returned even after the call being made by the petitioner.

Learned counsel for the State has submitted that there is a specific allegation against the petitioner for demand of dowry due to which the complainant was compelled to leave the house of her in-laws.

Considering the aforesaid facts and the circumstances of the case, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender in the court below within four weeks on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Magistrate, Birpur (Saharsa) in connection with Complaint Case No. 61 (c) of 2012, subject to the conditions, as laid down under Section 438(2) Cr.P.C. with the direction that as per the statement made in para 10 of this petition, he will make all efforts to get the complainant back to his house, failing which the petitioner shall deposit an amount of Rs. 2,500/- every month, which shall be released in favour of the complainant by the court below.

(Sudhir Singh, J.)

Vats/-

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