

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3702 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -MAHILA P.S. District- NAWADA

- =====
1. Ashok Kumar Gupta @ Ashok Kumar
 2. Anand Gupta @ Anand Kumar Gupta Both sons of Late Raghunandan Prasad Gupta
 3. Anjali Gupta W/o Anand Gupta All resident of 47/25A, Ram Krishna Ghosh Road, Kolkata 50, P.S.- Baraha Nagar, District 24 Parganas (North), West Bengal
 4. Dr. Mala Gupta @ Mala Gupta, daughter of Late Raghunandan Prasad Gupta, wife of Kamal Kant Rakesh resident of 35/5 Atta Para Lane, Kolkata 50, P.S. Baraha Nagar, District 24 Parganas (North), West Bengal
 5. Manoj Kumar Shaw @ Manoj Kumar Son of Sri Ram Narayan Shaw, resident of 12/4/18 Ram Krishna Ghosh Road, Kolkata 50, P.S. Sinthee, District- Kolkata, (West Bengal)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioners : Mr. Alok Kumar @ Alok Kr Shahi, Advocate.
For the Opposite Party : Mr. Ajay Kumar 2 (App)
For the Informant : Mr. Yogesh Chandra Verma, Sr. Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 29-01-2015 Heard both sides.

The petitioners apprehend their arrest in Mahila Nawada P.S. Case No. 27 of 2014, registered for the offences punishable under Section 498A and other Sections of the Indian Penal Code.

Rashmi Gupta the wife of Jayant Gupta lodged this case making allegation against her husband and other in-laws that they all subjected her to physical and mental torture and

immediately drove her out from the house after snatching all the belongings.

Learned counsel for the petitioner submits that the petitioner nos. 1 and 2 are brothers-in-law, petitioner no. 3 is sister-in-law (Gotni), petitioner no. 4 is married sister-in-law (Nanad) and petitioner no. 5 is maternal brother of the husband of the informant. It is submitted that the marriage was solemnized in the year 2000, but the wife did not live with her husband and consequently the husband filed Matrimonial Suit in the year 2012. Of course, the husband later on filed a petition for withdrawing the Matrimonial Suit, but no order was passed and the matter was sent to mediation centre, but the dispute could not be resolved and thereafter the husband decided to contest the suit.

On the other hand Shri Yogesh Chandra Verma, the learned Senior Counsel appearing on behalf of the informant has with full force at his command opposed the prayer for anticipatory bail of the petitioner.

On perusal of the records, it appears that the petitioners are in-laws of the informant and after 14 years of marriage the wife filed this case making allegation of demand of dowry and torture against all the family members including the husband although the Matrimonial Suit is pending which was filed

earlier in point of time.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the Learned Sub-Divisional Judicial Magistrate, Nawada in connection with Mahila Nawada P.S. Case No. 27 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--