

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25355 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Binod Kumar Gupta, S/o Late Premlal Sah @ Premilal Prasad,
2. Rani Devi, W/o Sri Binod Kumar Gupta,
3. Sunny Kumar Gupta @ Sanny Gupta, S/o Binod Kumar Gupta,
4. Puja Devi, W/o Sunny Kumar Gupta @ Sanny Gupta,
5. Rinky Gupta, W/o Sri Praveen Kr. Gupta,
6. Anup Kumar Gupta @ Anupan Gupta, S/o Late Premlal Sah @ Premilal Prasad, All resident of Mohalla- Kaurihar, P.S.- Raxaul, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ruby Devi, D/o Shambhu Prasad, W/o Ravi Kumar Gupta, Mohalla- Kaurihar, P.S.- Raxaul, District- East Champaran. Presently at Village- Matiyaria, P.S.- Harsiddhi, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh

For the Opposite Party/s : Mr. Rajballabh Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 14-07-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahila Police Station Case No. 09 of 2017, disclosing offences under Sections 341/342/323/504/406/328/498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioners are the in-laws of the informant.



The matrimonial discord appears to be the root cause of lodging of the First Information Report.

The Courts have taken judicial notice of the fact that family members of the husband are implicated in order to create pressure on the husband and his family members.

There is no reason for this Court to feel that if granted anticipatory bail, the petitioners shall flee from the course of investigation or trial.

It is submitted that the petitioners shall present themselves before the police as and when required and there is no chance that they will tamper with the evidence or influence the witnesses.

Considering the nature of accusation and submissions advanced on behalf of the petitioners, this application is allowed.

Let the petitioners, namely, Binod Kumar Gupta, Rani Devi, Sunny Kumar Gupta @ Sanny Gupta, Puja Devi, Rinky gupta and Anup Kumar Gupta @ Anupam Gupta, in the event of their arrest or surrender before the Court below within six weeks, be released 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 learned Sub Divisional Judicial Magistrate, East Champaran, at Motihari, in connection with Mahila Police Station Case



No. 09 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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