

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3247 of 2017

Arising Out of PS.Case No. -863 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Surendra Prasad @ Surendra Kumar Gupta, Son of Late Raghunath Prasad,
Resident of Mohalla- H.No. 7G, Station Road, Cant Varanasi, P.S.- Sadar
Bazar, District - Varanasi (Uttar Pradesh).

.... Petitioner

Versus

1. The State of Bihar.
2. Neelam Gupta, W/O Ravi Kumar Gupta, D/O Shiv Prasad Gupta,
Resident of Mohalla- Near Behind of Tej Singh Motor Training
Golbagicha Devi Sthan, Gaya, P.S. Kotwali, District - Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Satya Veer
For the Opposite Party/s : Smt Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 03-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 863 of 2013, registered under Sections 147, 323,
504 and 498(A) of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.

The allegation of complainant Neelam Gupta is that her
marriage was performed with Ravi Kumar Gupta in the year 2008.
Thereafter, she was being tortured for non-fulfillment of demand of
cash of Rs. 1,00,000/- by her husband and in-laws. The husband of
informant died on 28.11.2012, thereafter, she was ousted from her
matrimonial house and in-laws also grabbed bicycle shop of her



husband.

Learned counsel for the petitioner submits that it would appear from the complaint petition that petitioner is the elder brother of the husband of the complainant and due to family dispute, complainant lodged this false case as husband of the complainant earlier to his marriage got a insurance policy in which he inserted the name of his mother as nominee. In the year 2006 the insurance amount has been taken by the mother of her husband and due to that reasons, the complainant has lodged the present case on false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Gaya in connection with Complaint Case No. 863 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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