

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41309 of 2017

Arising Out of PS.Case No. -547 Year- 2016 Thana -COMPLAINT CASE District- BANKA

=====

Rakesh Gupta @ Rakesh Kumar Gupta son of Binod Gupta @ Binod Sah,
resident of village in front of Meena Bazar Gupta Bangles Shop, Deoghar
Kasarwani Ashram, P.S. Deoghar, District Deoghar (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Balkishore Shah through her daughter Sandhya Devi, wife of Binod Gupta, resident of village Katoria Road, P.S. Katoria, District Banka

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498(A) of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The



petitioner has further relied upon the judgment of this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Banka in connection with Complaint case No. C-547 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

