

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42577 of 2017

Arising Out of PS.Case No. -636 Year- 2017 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Om Prakash Gupta son of Late Mukhlal Sah resident of Mohalla - Idgah
Dehri On Sone, P.S. Dehri (Town), District Rohtas.
2. Gupteshwar Prasad Gupta son of Bifan Sah
3. Manorma Devi wife of Gupteshwar Prasad Gupta
4. Sushil Kumar Gupta son of Gupteshwar Prasad Gupta
5. Deepu @ Deepak Kumar Gupta son of Gupteshwar Prasad Gupta
6. Sunita Kumari @ Sunita Devi D/o Gupteshwar Prasad Gupta All
residents of village Hurka, P.S. Tilauthu, District Rohtas.

.... Petitioners

Versus

1. The State of Bihar.
2. Sandhya Kumari wife of Santosh Kumar Gupta, daughter of Jawahar
Prasad Gupta resident of Mohalla Bhartiganj Basti More, P.O. and P.S.
Sasaram (Town), District Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioners, learned

counsel for the informant and learned counsel appearing on behalf

of the State.

The petitioners are apprehending their arrest in
connection with Sasaram Town P.S. Case No. 636 of 2017 for the
offences instituted under Sections 341, 323, 498(A), 504, 34 of the
Indian Penal Code.

The allegation against the petitioners is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The case is triable by the Magistrate. The petitioners are in-laws of the informant. They are separate in mess and property from the husband of the victim. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Sasaram Town P.S. Case No. 636 of 2017 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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