

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53140 of 2018

Arising Out of PS.Case No. -29 Year- 2017 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Jagdish Gupta Son of late Ramwater Gupta Resident of Village-
Paikwaliya, Police Station- Semra, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sugandhi Devi Wife of Jagdish Gupta Resident of Village- Paikwaliya,
Police Station- Semra, District- West Champaran, at Present Ratwal, Police
Station- Chautarwa, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case initially
registered under Sections 141, 341, 323, 504 and 498A of the
Indian Penal Code but cognizance has been taken only under
Section-498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment 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 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/F.I.R.

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 Sub Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Trial No. 5172 of 2017 arising out of Complaint Case No. C-29 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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