

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13254 of 2018

Arising Out of PS. Case No.-241 Year-2016 Thana- DARBHANGA District- Darbhanga

Sanjeev Kumar Gupta @ Pappu Jee, s/o- Shri Rameshwar Prasad Gupta, r/o- at Circuit House Road, Singrauli, P.S.- Morba, District- Singrauli, Madhya Pradesh, alleged address in F.I.R. at Laxmi Chowk, Near MIT, P.S.- Brahmapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Arti Kumari @ Puja, wife of Sanjeev Kumar Gupta @ Pappu Jee, D/o- Shri Jiwachh Prasad, resident at Mashraf Bazar, Senapat, P.S.- Town, Darbhanga, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pandey Sanjay Sahay
For the Opposite Party/s : Mr. HARENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 379, 504 and 498A of the Indian Penal Code and $\frac{3}{4}$ 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 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 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 Chief Judicial Magistrate, Darbhanga in connection with Town P.S. Case No. 241/2016 (G.R. No. 4069/2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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