

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13802 of 2018

Arising Out of PS.Case No. -47 Year- 2017 Thana -MAHILA P.S. District- NAWADA

=====

Sh. Rajeev Gupta, Son of Sh. Rambabu Gupta, Resident of Kasim Bazaar,
P.S. Baliya, District-Baliya, Uttar Pradesh.

.... Petitioner

Versus

1. The State of Bihar
2. Simran Kumari, W/o Amit Kumar, Resident of Prasad Bigha Main
Road, P.S. Nawada, District Nawada (Bihar).

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Ravi Kumar, Advocate.
For the State : Mr. Satyendra Prasad, A.P.P.
For the O.P. No. 2 : Mr. Devendra Pd. Singh and Uma Kumari,
Advocates.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned A.P.P. for the
State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 354, 307, 379,
504/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case due to petty family dispute. The petitioner is in-laws of the victim. He is separate in mess and property from the husband of the victim. There is no medical examination report for making an offence under Section 307 of the IPC. Rests of the offences are 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. East at Nawada, in connection with Nawada Mahila Thana P.S. Case No. 47 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)