

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6728 of 2018

Arising Out of PS. Case No.-216 Year-2016 Thana- RIVILGANJ District- Saran

Shyam Sundar Gupta @ Shyam Sundar, Son of Mahesh Prasad Gupta, a permanent resident of Village- Enai, P.S.- Revelganj, District- Saran, at present A- 700A New Ashok Nagar, Vasundhara Enclave, East Delhi, Delhi- 110098.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Deepmala Devi, D/o Chhathilal Sah, at present a resident of Dumri Addi, P.S.- Doriganj, District- Saran, wife of Shyam Sundar Gupta, Son of Mahesh Prasad Gupta, a resident of Village- Enai, P.O.- Enai, P.S.- Revelganj, District- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar
For the Opposite Party/s : Mr. S.M. RAHMAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 386, 307 and 498A/34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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. There is no medical examination report to support the allegations made in the FIR for constituting the offence under Section 307 IPC. 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 A.C.J.M.-VII, Chapra, Saran in connection with Revelganj P.S. Case No. 216 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

