

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1357 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAHILA P.S District- WEST CHAMPARAN
(BETTIAH)

=====

Vinod Gupta @ Vinod Kumar Gupta, Son of Late Shivji Gupta, Resident of
Mohalla- Tin Lalten, P.S.- Town, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mahila P.S. Case No. 8 of 2017 registered under Section
376 of the Indian Penal Code.

It is submitted that even if the entire allegations
made in the FIR is accepted to be true, the alleged offence
punishable under Section 376 of the Indian Penal Code would
not be attracted against the petitioner.

On the other hand, learned counsel for the State
submitted that the victim was earlier married to one Rakesh Das



and the couple was blessed with two children out of the wedlock. Subsequently, the informant claimed that she had some differences with her husband Rakesh Das and, thereafter, she came in contact with petitioner Vinod Gupta @ Vinod Kumar Gupta with whom she married in a temple and live with him as wife for about a year, but subsequently, some differences arose with the petitioner also and, thereafter, the petitioner started subjecting her to cruelty.

I have heard learned counsel for the parties and perused the record.

Regard being had to the nature of the offence, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, West Champaran at Bettiah in connection with Mahila P.S. Case No. 8 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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

