

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5159 of 2018

Arising Out of PS.Case No. -2722 Year- 2016 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Abhishek Kumar Gupta @ Abhishek Gupta, Son of Ram Nagina Prasad,
Resident of Village- Dhangarha, P.S.- Baniyapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nisha Devi, W/o Abhishek Kumar Gupta, D/o Motilal Sah, At present
residing at Pandey Chapra, P.S.- Rasulpur, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sri Pradeep Nara in Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-03-2018 Heard learned counsel for the petitioner and learned APP
for the State as also counsel appearing for opposite party No. 2.

The petitioner is apprehending his arrest in a case registered
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 he is
husband of complainant. 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 Additional Chief Judicial Magistrate-XII, Saran at Chapra in connection with Complaint Case No. 2722 of 2016 corresponding to Trial No. 1756 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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