

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74862 of 2018

Arising Out of PS. Case No.-399 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Shailesh Gupta, Son of Ramnath Sah, Resident of Village- Chanaur, Police
Station- Dhanauti O.P., District- Siwan ... Petitioner

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Sri Ramchandra Singh
For the Informant : Mr. Ajay Kr. Pandey, Advocate and
Mr. Sandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
offence under sections 304B/201/34 IPC.

It is submitted on behalf of the petitioner that the
allegation made in the First Information Report establishes the
bona fide of the petitioner inasmuch as the allegation itself
suggests that the person who has given intimation regarding
daughter of the informant is missing from her Matrimonial
home taking advantage of the situation false First Information
Report has been lodged under section 304B. It is also submitted
that very perusal of statement of the alleged victim recorded 4
days after occurrence under section 164 Cr.P.C. suggests that
prima facie the allegation under section 304B Indian Penal Code
is false.

Learned counsel for the informant opposes the prayer
for bail. He submits that the allegation of demand of dowry has



been made within two years of marriage.

Considering the aforesaid submissions and the facts and circumstances of the case, prayer for anticipatory bail to the petitioner is allowed. In the event of arrest/surrender within a period of four weeks from today, let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in Siwan Mufssil Dhanauti Police Station Case No. 399 of 2018 on the following conditions:-

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he/she is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The Petitioner will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

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(Madhuresh Prasad, J)

