

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5726 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- SUGAULI District- East Champaran

Sheo Shankar Kumar Gupta @ Sheo Shankar Kumar Gupta

... .. Petitioner/s

Versus

1. State of Bihar
2. Veena Gupta, wife of Sheo Shankar Gupta @ Sheo Shankar Kumar Gupta

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Sugauli P.S.Case No. 295 of 2018, registered for offences punishable under Sections 341, 323, 498 (A), 504 and 506/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per F.I.R., allegation against the petitioner is of subjecting with cruelty to the Opposite Party No.2 with respect to demand of dowry and also tried to commit physically assault by her Nandosi but ultimately she left her in-laws' house with children and later on, two daughters were forcibly taken back by the petitioner with his house and left his both sons and wife.

Submission of the learned counsel for the petitioner is that the petitioner along with his entire family members have falsely been implicated and the Opposite Party No.2 is in habit of leading an adulterous life with one person Ranjan Kumar



Mahto and the petitioner has not solemnized second marriage. It is further submitted that the petitioner has no criminal antecedent.

Learned A.P.P. as well as learned Opposite Party No. 2, opposes the prayer for bail on the ground that the petitioner had solemnized second marriage.

Having heard both sides and in view of the facts and circumstances and learned counsel, appearing on behalf of the Opposite Party No. 2, could not satisfy the Court whether the petitioner has solemnized second marriage and in this regard no documents has been mentioned and as such, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Sugauli P.S.Case No. 295 of 2018, to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court with further condition that if any Maintenance case is filed by the Opposite Party No. 2, the petitioner has to co-operate in



the disposal of the same and the petitioner should be ready to
abide by any order passed in Maintenance case.

(Vinod Kumar Sinha, J)

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