

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54019 of 2018

Arising Out of PS. Case No.-2901 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Ramesh Prasad Gupta @ Rameshwar Prasad Gupta Son of Ram Chandra Gupta.
 2. Abhisek Prasad Gupta @ Abhisek Chandra Gupta, Son of Ramesh Prasad Gupta @ Rameshwar Prasad Gupta,
Both are resident of Village- Bhadeshwar Library Road, P.O.- Shanti Pulli,
P.S.- Bhadeshwar District- Hoogly, West Bengal.

... .. Petitioners

Versus

1. The State Of Bihar
2. Shiv Bachan Ram Tatwa, Son of Late Ram Niwaj Ram, resident of Village-
Chiraiya Tand, Kumhar Toli, P.S.- Kankarbagh, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Kumar Rajeev, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 11-03-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Section 420 of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act registered in connection with
Complaint Case No. 2901 of 2015.

3. It is submitted that the petitioners have been falsely
implicated and as a matter of fact, there was no demand for dowry
muchless taken by the petitioners. There is inordinate delay of more
than a year in filing the complaint on 14.08.2015 as *Chheka* is
claimed to have been performed on 07.07.2014. It is evident from the
solemn affirmation of the complainant that no demand had been
made for dowry. The petitioners claim clean antecedents.

4. Despite appearance having been entered on behalf of



the opposite party no. 2, none is present on his behalf when the matter is called today.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on provisional bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Ms. Kumari Jyotsna, learned Judicial Magistrate, Patna in connection with Complaint Case No. 2901 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

BT/-

(Vikash Jain, J)

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