

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23875 of 2020

Arising Out of PS. Case No.-751 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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VIJAY PRASAD GUPTA Son of Gulab Chand Sah Resident of Village-
Karmnasha, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Gupta Wife of Raj Kumar Gupta, D/o Satya Narayan Ram Present
Address Quarter No. H.O. 12 Adarsh Nagar, P.S.- Dhurwa, District- Ranchi
(Jharkhand).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh
For the Opposite Party/s : Mr. Anand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-10-2020 The present petition has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and Sri Anand Kumar, the learned APP for the
State.

This is an application for grant of anticipatory
bail in connection with Complaint Case No. 751 of
2019 registered for the offence punishable under
Sections 498A of the Indian Penal Code.



The complainant is stated to have been married with one Raj Kumar Gupta as per the Hindu rites and custom on 22.11.2000 and her parents had given cash amount and gifts to the in-laws at the time of wedding. It has been alleged that after some months of the marriage, the accused persons started inflicting cruelty upon her and during the course of time, two children were born out of the said wedlock, however, still, the atrocities being committed by the accused persons did not stop resulting in registration of one FIR, but the matter was compromised. The complainant has further alleged that subsequently, the husband of the complainant started pressuring her to convey some immovable properties in his name and finally, on 14.6.2019, the accused persons had assaulted the complainant, her sister and her son.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the petitioner is the elder brother-



in-law of the complainant and he is staying separately, as such, he has got nothing to do with the affairs of the complainant and her husband.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is the elder brother-in-law of the complainant and the main culprit is the husband of the complainant, who is not before this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class,



Bhabua (Kaimur) in connection with Complaint
Case No. 751 of 2019, subject to the conditions as
laid down under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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