

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.496 of 2016

Arising Out of PS. Case No.-789 Year-2014 Thana- PHULWARISHARIF District- Patna

Pankaj Kumar Gupta, Son of Late Ashok Prasad Gupta Resident of Village-
Chunauti Kuan, P.S.- Phulwari Shariff, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandeshwar Kumar, S/O Gopal Sah, R/O Sarai, P.S. Maner, Patna.
3. Rekha Devi @ Shyamli Gupta, D/O late Ashok Prasad Gupta, R/O
Chunwati Kuar, P.S.- Phulwarisharif, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha
For the Opposite Party/s : Mr. Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

10 03-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Phulwarisharif P.S. Case No. 789 of 2014, registered under
Sections 498A, 323 and 324 of the Indian Penal Code.

The accusation is that marriage of Rekha Devi,
sister of informant, was performed with petitioner in the year
2000 and out of wedlock, his sister was blessed with three
children. Before three years, husband of sister of the informant
was fallen in love with a girl. When his sister made protest then
she was assaulted and sustained fracture injury. Thereafter, he
received information from his Bhanja, Karan Kumar Gupta



about causing assault to his sister then he went at the Sasural house of his sister and rushed at S.S. Hospital, Anishabad for her treatment.

Learned counsel for the petitioner submits that petitioner is the husband of opposite party no. 3, sister of informant and in spite of notice received by opposite party no. 3, Rekha Devi, she did not turn up before this Court. Further submission is that at present, opposite party no.3, Rekha Devi, used to reside at her matrimonial house and doing the business.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, in connection with Phulwarisharif P.S. Case No. 789 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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