

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27189 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- MAHILA PS District- Gopalganj

1. MANOJ KUMAR GUPTA @ MANOJ KR. GUPTA Son of Rajaram Gupta. Resident of Village- Kotwa, P.S.- Kateya, District- Gopalganj.
2. Rajram Gupta Son of Late Rajdeo Sah Resident of Village- Kotwa, P.S.- Kateya, District- Gopalganj.
3. Priyanka Devi Wife of Manoj Kumar Gupta @ Manoj Kr. Gupta. Resident of Village- Kotwa, P.S.- Kateya, District- Gopalganj.
4. Munna Gupta @ Munna Kr. Gupta Son of Late Tribeni Gupta Resident of Village- Bandhaura Mishra, P.S.- Vijaipur, District- Gopalganj
5. Geeta Devi Wife of Munna Kr. Gupta @ Munna Gupta R/o Village- Bandhaura Mishra, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 342, 323, 498A, 420, 406, 504,
506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition
Act.



Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner no. 1 is brother-in-law, petitioner no. 2 is father-in-law, petitioner no. 3 is sister-in-law, petitioner no. 4 is nandosi, petitioner no. 5 is sister-in-law (nanad), of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners have relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned



S.D.J.M., Gopalganj in connection with Gopalganj (Mahila) P.S.
Case No. 33 of 2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each
with two sureties of the like amount each within a period of
eight weeks to the satisfaction of the Court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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