

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81879 of 2019

Arising Out of PS. Case No.-1754 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. MUKESH KUMAR SHRIVASTAVA Son of Ramnath Prasad @ Ram Nath Prasad Resident of Village- Lahlaadpur, P.S.- Manjhagarh, District- Gopalganj.
 2. Ramnath Prasad @ Ram Nath Prasad Son of Late Kapildev Prasad, Resident of Village- Lahlaadpur, P.S.- Manjhagarh, District- Gopalganj.
 3. Ashwini Kumar @ Asiwani Kumar @ Ashwini S/o Ramnath Prasad @ Ram Nath Prasad Resident of Village- Lahlaadpur, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Supriya Shrivastava @ Pammi Kumari W/o Mukesh Kumar Shrivastava, and Daughter of Ramji Prasad Resident of Village- Lahlaadpur, P.S.- Manjhagarh, District- Gopalganj, At Present- resident of Village- Olipur, P.S.- Yadopur, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 25-11-2021 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1754 of 2018 registered under Sections 498(A) of the I.P.C.

Submission of learned counsel for the petitioners is that petitioners are innocent and have falsely been implicated in the present case due to ulterior motive. Further submission is that petitioner no.1 is husband and petitioner nos. 2 and 3 are father-in-law and brother-in-law of the complainant

respectively. There is no specific allegation against petitioner nos. 2 and 3.

Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of the petitioner no.1 by contending that petitioner no. 1 is husband of the complainant. There is direct allegation of demand of dowry and torture against him. Hence, the petitioner no.1/husband does not deserve to be enlarged on anticipatory bail.

Having considered the facts and circumstances of the case and nature of the allegation, this Court is not inclined to grant anticipatory bail to the petitioner no. 1 Mukesh Kumar Shrivastava. Accordingly, his prayer for bail is rejected.

As far as prayer for grant of anticipatory bail of the above named petitioner nos. 2 and 3 are concerned, they are directed to be released on anticipatory bail, in the event of arrest or surrender within a period of four weeks from today, on furnishing personal bond to the satisfaction of Judicial Magistrate, 1st Class, Gopalganj in connection with Complaint Case No. 1754 o 2018, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

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(Arvind Srivastava, J)