

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.493 of 2020**

Arising Out of PS. Case No.-3972 Year-2016 Thana- PATNA COMPLAINT CASE District-  
Patna

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KUMAR SURYA GUPT Son of Sri Arun Kumar Gupta Resident of Village -  
House no.30 AB, Club Road, Purvi Colony, Jamalpur, P.S.- Purvi Railway  
Colony, Distt.- Munger.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Kumari D/o Sri Ramesh Jha, W/o Kumar Surya Gupt Resident of  
Village - D.V. Chauk, Old Jakkanpur, P.S.- Jakkanpur, Distt.- Patna.

... .. Opposite Party/s

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**Appearance :**

|                    |   |                          |
|--------------------|---|--------------------------|
| For the Petitioner | : | Mr.Anil Kumar, Advocate  |
| For the State      | : | Mr.Md. Nazir Ansari, APP |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      16-12-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

None appears on behalf of the opposite party No.2.

The petitioner is apprehending his arrest in connection  
with Complaint case No.3972(C) of 2016 registered under  
Section 498A of the Indian Penal Code and 4 of Dowry  
Prohibition Act.

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

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner has 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 petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna in connection with Complaint case No.3972(C) of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such



application is made by either of the parties, the court below shall  
refer the matter to the District Mediation Centre.

**(Sudhir Singh, J)**

Narendra/-

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