

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.49321 of 2021**

Arising Out of PS. Case No.-1635 Year-2018 Thana- GOPALGANJ COMPLAINT CASE  
District- Gopalganj

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Manoj Gupta @ Manoj Kumar Gupta, Son Of Godhan Gupta Resident Of  
Village - Farsaha, P.S.- Vijaypur, District - Gopalganj

... .. Petitioner/S

Versus

1. The State Of Bihar  
2. Rekha Devi, W/o Manoj Kumar Gupta, D/o Dhanesar Gupta, R/o village-  
Farsaha, P.S. Vijaypur, District- Gopalganj.

... .. Opposite Party/s

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**Appearance :**

|                            |                        |
|----------------------------|------------------------|
| For the Petitioner/s :     | Mr. Satish Kumar Sinha |
| For the Opposite Party/s : | Mr. Ajay Kumar Jha     |
|                            | Mr. Nityanand Mishra   |
|                            | Mr. Balmeeki Pandey    |
|                            | Mr. Bhaskar            |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
ORAL ORDER

6      18-11-2022                      Heard learned counsel for the petitioner, learned counsel  
for the complainant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a  
case registered for the offences punishable under Section 498A of the  
Indian Penal Code.

The learned counsel for the petitioner submits that the  
petitioner is the husband and is a person with clean antecedent and  
the complainant alleges that she was married with petitioner on  
12.12.2016, out of the wedlock, a child was born. Further, after  
marriage, the accused persons including the petitioner were  
demanding motorcycle. Further, on account of non-fulfilment of  
demand, she was tortured. It is next alleged that she is residing with



her father and petitioner is not willing to keep her.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the same is general and omnibus in nature as it has been alleged that all the accused persons including petitioner were demanding a motorcycle. It is next submitted that petitioner is staying outside and the complainant has forcefully captured his house and staying in his house when his parents have been ousted.

The learned counsel for the complainant submits that the matter was referred for mediation and from perusal of the report of the learned Mediator, it would manifest that the mediation has failed and the petitioner is not willing to maintain the complainant and the child. It is next submitted that no woman would file a case and thus, would get her matrimonial life jeopardized unnecessarily.

Considering the submissions made by the learned counsel for the complainant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail stands rejected.

**(Satyavrat Verma, J)**

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