

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75208 of 2019

Arising Out of PS. Case No.-1021 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. RAMASHANKAR GUPTA Son of Late Mahatim Gupta Resident of Village - Dhabhni (Manmalrai), P.S.- Suhwal, District- Gajipur (U.P.)
 2. Rajneesh Gupta Son of Ramashankar Gupta Resident of Village - Dhabhni (Manmalrai), P.S.- Suhwal, District- Gajipur (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Deepsikha Gupta Wife of Rajneesh Gupta, D/O- Ram Gopal Gupta Resident of Village - Rueiya, P.S.- Bhabhua, District- Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-02-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the O.P. No. 2 through virtual mode.

The petitioners are apprehending their arrest in a case in which cognizance has been taken under section 498A of the Indian Penal Code.

Allegation against the petitioners is of committing



torture upon the victim due to non-fulfilment 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 father-in-law and petitioner no. 2 is husband 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, the provisional bail, granted to the petitioners under order dated 06.03.2020 in connection with Complaint Case No. 1021 of 2018 to the satisfaction of learned Chief Judicial Magistrate Kaimur at Bhabua, stands confirmed.

The petitioners are directed to co-operate during the trial. If the petitioners do not co-operate during the trial, the Court below will be at liberty to cancel the bail bonds of the



petitioners.

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.

(Sudhir Singh, J)

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