

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22726 of 2023

Arising Out of Case No.-56 Year-2022 ROHTAS COMPLAINT CASE District- Rohtas

OM PRAKASH GUPTA SON OF LATE VINAY SAH RESIDENT OF
VILLAGE KORI, PS DINARA , DIST ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANGETA KUMARI WIFE OF OM PRAKASH GUPTA RESIDENT OF
VILLAGE- KORI, PS- DINARA , DISTT- ROHTAS

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-09-2023 Heard learned counsels for the petitioner and learned
A.P.P. for the State. Despite valid service of notice no one
appears on behalf of O.P. No.2.

2. The petitioner is apprehending his arrest in
connection with a case registered for the offence punishable
under Sections 498(A) of the I.P.C.

3. The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

4. It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case due to petty family dispute. The petitioner is the



husband of the victim and he is ready to keep his wife with full honour and dignity. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further 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*. Petitioner has got clean antecedent.

5. Learned counsel for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Bikramganj, Rohtas in connection with Complaint case No. 56/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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