

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36362 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

-
1. GOPAL PRASAD GUPTA @ GOPAL SAH, S/O LATE RAMWATAR GUPTA, R/O Shiva Shivajee Nagar Musraf Bazar, P.S- Nagar, District- Darbhanga.
 2. Sushila Devi, W/O Gopal Prasad Gupta, R/O Shiva Shivajee Nagar Musraf Bazar, P.S- Nagar, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajni Devi, W/O Manoj Kumar Gupta, D/O Binod Kumar Gupta R/O Shivajee Nagar Musraf Bazar, P.S- Nagar, District- Darbhanga. A/P Resident of Village- Lokahi, P.S- Lokahi, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-09-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with C.R. Case no. 10 of 2022, registered under sections 498A and 34 of the Indian Penal Code and sections 3/4 Dowry Prohibition Act.

3. As per the prosecution case, the complainant was married to the son of the petitioners herein in the year 2018. It is stated that the accused persons behaved properly with the



complainant for a period of two years. In the meantime, a daughter was born out of the said wedlock, but she died. Soon thereafter, it is stated that the accused persons including the petitioners herein started to torture her physically and mentally, assault the complainant as also abuse her. It is further stated that further demand of dowry by way of a Hero Honda motorcycle was made and she was tortured on non-fulfillment of the same.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only on account of their being the father-in-law and mother-in-law of the complainant. They are separate in mess and business and are not concerned with the complainant or her husband. The allegations as levelled in the complaint are all false and concocted. The petitioners have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the complaint, the relationship of the petitioners being the father-in-law and mother-in-law of the complainant and the petitioners not having any criminal antecedent, it is directed that both the petitioners, above named, in the event of their arrest or



surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with C.R. Case no. 10 of 2022, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jhanjharpur, District Madhubani.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

