

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49552 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA P.S. District- Vaishali

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ASHWANI GUPTA @ ASHWANI KUMAR GUPTA @ ASHWANI KR
GUPTA S/O UDHAV PRASAD GUPTA RESIDENT OF N-1/65-14,
NAROTTAM NAGAR, NAGMA CHUNGI, PS. LANKA DIST.
VARANASI, UTTAR PRADESH

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUJA KUMARI W/O ASHWANI GUPTA @ ASHWANI KUMAR GUPTA
@ ASHWANI KR. GUPTA, D/O LALAN PRASAD GUPTA R/O
MOHALLA- MAGISTRATE COLONY, CINEMA ROAD, PS.- HAJIPUR,
DIST. HAJIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar
For the Opposite Party/s	:	Mr. Rabindra Kumar
For the informant	:	Mr. Manohar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 11-08-2023 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner, learned Counsel
for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.2. The petitioner apprehends his arrest in connection with
Hajipur (Mahila) Police Station Case No. 03 of 2023,
registered for the offences punishable under Sections 498-
A/341/323/379/504/506/34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.3. The allegation, as per the First Information Report, is that
the marriage of the Opposite Party No. 2 was solemnized |
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with the petitioner on 10.02.2022 and after sometime, the petitioner and other family members started demanding scorio vehicle and gold bracelet by way of dowry and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally and also ousted the Opposite Party No. 2 from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 3,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case and/or the matrimonial case, if any, pending between the parties.
5. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 3,000/- per month in the bank account of the informant-Opposite Party No. 2,



details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within fifteen days from today.

6. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Hajipur (Mahila) Police Station Case No. 03 of 2023.
9. This is subject to the conditions that (i) one of the bailors shall be a close relative of the petitioner, and (ii) the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of Opposite Party No. 2 positively,



starting from 07th September, 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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