

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58260 of 2022

Arising Out of PS. Case No.-339 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

BIBHUTINATH GUPTA @ VIBHUTINATH GUPTA S/O SHIV PRASAD
GUPTA Resident of Mohalla- Vaishali Nagar, Gurunanak Nagar, House No.
536, P.S.- Supaul(Bhilai), District- Durg(Chhatisgarh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 354, 354(B), 376, 511,
504, 506, 34 of the IPC.

Allegedly, the petitioner and other accused persons used
to torture the informant due to non-fulfillment of demand of
dowry. The petitioner being the father-in-law of the informant
tried to outrage her modesty and on protest, she was ousted out
of the matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.



No such occurrence, in the manner as alleged, has ever taken place. No demand of dowry has been made from the informant by her in-laws. The incident took place in Chhatisgarh but the F.I.R. has been lodged in Bihar. It is further submitted that the informant along with her husband were living separately from the petitioner since the year 2015 and petitioner has got no concern with the affair of the informant or her husband. The petitioner is aged about 65 years and has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, if petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering that petitioner is a senior citizen.

(Anjani Kumar Sharan, J)

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