

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57938 of 2022

Arising Out of PS. Case No.-304 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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PRAMOD KUMAR GUPTA @ PRAMOD GUPTA Son of Jay Prakash
Gupta Resident of village - Sangrampur, P.S.- Sangrampur, District - East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Devi Daughter of Shatrudhan Prasad Resident of village - Olaha
Bajar, P.S.- Harsidhi, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-04-2023 O.P. No.2 received the notice personally but refused

to put signature on goshwara.

In that view of the matter, service of notice on O.P.
No.2 is treated to be validly served.

Heard learned counsels for the petitioner and learned
A.P.P. for the State. Nobody appears on behalf of O.P. No.2.

The petitioner is apprehending his arrest in connection
with Sangrampur PS Case No. 304 of 2020 for the offence
registered under Sections 498(A), 308, 324 and some other
ancillary Sections of the I.P.C.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. 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.

On behalf of the learned counsels for the State and, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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, East Champaran, Motihari in connection with Sangrampur PS case No. 304/ 2020, subject to conditions laid down u/s



438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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