

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57728 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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ASHISH KUMAR GUPTA @ ASHISH S/O JAGDISH PRASAD GUPTA
Resident of K-20/ 146-A, Rajmandir Gay Ghat Varansi, P.S.- Kotwali,
District- Varansi, at present C.V.U. Apartment Chira Bazar, Marin Line
Mumbai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SNEHLATA KUMAR W/O ASHISH KUMAR GUPTA, D/O NARAD SAH
Resident of K-20/ 146-A, Rajmandir Gay Ghat Varansi, P.S.- Kotwali,
District- Varansi, At present reside at G.T. Road Mohania, Ward No- 7, P.S.-
Mohaniya, District- Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate.
For the Opposite Party/s : Mr. Manoj Kumar, APP.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 3 17-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 23 of 2022 registered for the offences
punishable under Sections 498 A of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, the marriage of the



complainant was solemnized with the petitioner as per Hindu rites and custom and after marriage the complainant went to her susral. The petitioner and other co-accused persons started torturing the complainant mentally and physically due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that as per mediation report the matter was finally settled between the parties on 18.01.2023 in which it is mentioned that the petitioner Ashish Kumar Gupta @ Ashish gave Rs. 21,00,000/- to the opposite party no. 2, Snehlata Kumari as full and final settlement.

Learned A.P.P. for the State has fairly submitted that both the parties have agreed that all the civil and criminal cases between the parties shall be finally disposed of. Both the parties have also agreed that they shall file a divorce case on the basis of mutual consent.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on



furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Kaimur at Bhabua in connection with Complaint Case No. 23 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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