

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66528 of 2023

Arising Out of PS. Case No.-504 Year-2023 Thana- PURNEA SADAR District- Purnia

1. Achhey Lal Gupta Son Of Late Jawahar Lal Gupta Resident Of Village - Melli Bazar, South Sikkim, Police Station - Melli, Distric T- Namchi South Sikkim,
2. Sunita Gupta Wife Of Achhey Lal Gupta Resident Of Village - Melli Bazar, South Sikkim, Police Station - Melli, Distric T- Namchi South Sikkim,
3. Abhijeet Kumar Gupta @ Abhijit Gupta Son Of Achhey Lal Gupta Resident Of Village - Melli Bazar, South Sikkim, Police Station - Melli, Distric T- Namchi South Sikkim,
4. Raj Kumar Gupta Son Of Late Jawahar Lal Gupta Resident Of Village - Melli Bazar, South Sikkim, Police Station - Melli, Distric T- Namchi South Sikkim,
5. Deepa Gupta Wife Of Raj Kumar Gupta Resident Of Village - Melli Bazar, South Sikkim, Police Station - Melli, Distric T- Namchi South Sikkim

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar Son of Raju Gupta Resident of Mohalla - Rambag, Ward No. 30, Police Station - Sadar, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioners, who are family members of sister of the opposite party no2., are said to have ousted the opposite party no.2 from her matrimonial home over the dowry demand.



4. It is submitted by learned counsel for the petitioners that the petitioners are an innocent person and have committed no offence. Petitioners have neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. The petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. However, the petitioners are ready to give Rs.5,000.00 (Rupees Five Thousand) per month to the sister of the opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioners fail to give the aforesaid amount on two consecutive dates to the sister of the opposite party no.2, their bail bond shall automatically be cancelled.

6. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide bank account details of his sister to the petitioners within a period of two weeks by submitting the same on affidavit before the learned court below.

7. In that view of the matter, let the above named petitioners, be released on anticipatory bail, in the event of their



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sadar P.S. Case No. 504 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

8. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the purpose of reconciliation or one time settlement.

(Anjani Kumar Sharan, J)

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