

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43103 of 2024

Arising Out of PS. Case No.-587 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

-
1. Suraj Prakash Gupta S/O Late Keshav Prasad Sah @ Keshav Pd. Gupta
 2. Babita Devi W/O Suraj Prakash Gupta
 3. Supriya Kumari @ Supriya Gupta D/O Suraj Prakash Gupta
All R/V Mangraon, P.S- Rajpur, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anju Kumari W/O Gautam Kumar, D/O Rameshwar Prasad Rajan R/V
Mangraon, P.O- Sangraon, P.S- Rajpur, Distt.- Buxar. At Present Village-
Sakri, P.S- Kudra, Distt.- Kaimur (bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 22-08-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 498A, 406, 504 of the IPC and ¾ of the D.P. Act, but
court took cognizance under Section 498A of IPC only in
connection with Complaint Case No.587 of 2023.

3. The learned counsel for the petitioners submit that



petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that the complaint was instituted under Section 498A, 406 and 504 of the IPC read with Section 3/4 of the Dowry Prohibition Act, but then court took cognizance of offence under Section 498A of IPC only.

4. It is next submitted that the allegation of torture and assault as alleged against the petitioners is general and omnibus in nature. It is also submitted that whenever any dispute arises in between the husband and the wife the entire family members are implicated in a mechanical manner. It is next submitted that anticipatory bail application of the husband of O.P. No.2 has been rejected by an order dated 22.08.2024 in Cr. Misc. No.42809 of 2024.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Maohania, Kaimur in connection with Complaint Case No.587 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

