

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77103 of 2024

Arising Out of PS. Case No.-241 Year-2023 Thana- LAKHNAUR District- Madhubani

1. Kiran Gupta Wife of Late Shiv Shankar Gupta R/O Vil.- Madapur Chhapra Ward no. 1, P.S.- Pusa, Dist.- Samastipur.
2. Abhishek Kumar @ Vikky Kumar Son of Late Sivshankar Gupta R/O Vil.- Madapur Chhapra Ward no. 1, P.S.- Pusa, Dist.- Samastipur.
3. Sanjana Gupta @ Sapna Gupta Wife of Abhishek Kumar @ Vikky Kumar R/O Vil.- Madapur Chhapra Ward no. 1, P.S.- Pusa, Dist.- Samastipur.
4. Adit Kumar Son of Late Shvshankar Gupta R/O Vil.- Madapur Chhapra Ward no. 1, P.S.- Pusa, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Prakash Poddar, Adv.

For the Opposite Party/s : Ms. Shaheen Begum, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354, 379, 498(A), 504, 506 and 34 of the Indian Penal Code and Section $\frac{3}{4}$ of the Dowry Prohibition Act.

3. As per the F.I.R., the allegation against the petitioners is that they along with co-accused persons are alleged to have abused and assaulted the informant and ousted her from her matrimonial house due to non fulfillment of dowry



demand of Rs. 300000/- and a four wheeler. It is further alleged that on 20.09.2023 all the accused persons came to her 'Mayke' and started to abuse her when her father tried to stop them to do so then co-accused Sharwan Sah attacked two times on the head of the informant with knife due to which she sustained head injury, thereafter on the order of petitioner no.2 co-accused brutally assaulted her and all the accused persons took Rs. 90,000/- from her box and fled away from the place of occurrence.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is next submitted that petitioners are in-laws and family members of the informant and there is no specific allegation of assault against them. It is further submitted that the occurrence date is 20.09.2023 and FIR has lodged on 05.11.2023 after a delay of one month fifteen days without given any plausible explanation. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioners.



6. Having regard to the facts and circumstances of the case, there is no overt act against the petitioners, let the above named petitioners, be released on 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) 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 Lakhnaur (R.S.O.P.) P.S. Case No. 241 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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