

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2384 of 2025

Arising Out of PS. Case No.-795 Year-2000 Thana- MUNGER COMPLAINT CASE
District- Munger

-
1. Sugga Devi W/o- Late Hari Prasad Gupta Vill- Inwa Tand Ps- Dharhara Distt- Munger, P/A- Kela Bagan P.S.- Musawani Dist- East Singhbhum Jharkhand
 2. Mina Devi D/o- Late Hari Prasad Gupta, W/o- Jai Prakash Gupta @ Jay Prakash Das Vill- Inwa Tand P.S.- Dharhara Distt- Munger, P/A- Kela Bagan P.S.- Musawani Dist- East Singhbhum Jharkhand
 3. Jai Prakash Gupta @ Jay Prakash Das S/o- Late Kartik Prasad Gupta Vill- Inwa Tand P.S.- Dharhara Distt- Munger, P/A- Kela Bagan P.S.- Musawani Dist- East Singhbhum Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi D/o- Late Charitar Prasad Gupta, W/o- Mahendra Prasad Gupta R/o- Adra Ps- Raghunathpur Dist- Purulia State- W.B, P/A- Inwa Tand Ps- Dharahra Dist- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Jyoti Ranjan Jha, learned counsel for the

Petitioners and Mr. Nagendra Prasad, learned APP for the State.

2. The petitioners apprehend their arrest in connection
with Complaint Case No. 795C of 2000 dated 13.10.2000 filed
for the offences punishable under Sections 323, 379, 307, 328,
304, 511 and 498A of the Indian Penal Code and Section 3/4 of
the Dowry Prohibition Act.

3. As per the prosecution story, the complainant (O.P.



No.2) filed her complaint with the allegations that her marriage was solemnized in the year 1995 with one, Mahendra Prasad Gupta and out of their wedlock, one son and a daughter were born but after the birth of the daughter, the petitioners and others started demanding Rs. 20,000/ and on account of non-fulfillment of the demand, she was tortured and they also tried to kill her.

4. The main submissions advanced by petitioners' counsel are that the petitioners are in-laws of the complainant, O.P. No.2 and among the petitioners, petitioner no.1 is 80 year old lady and other petitioners are also old persons and all are residing in Jharkhand State due to which they did not get an information of the complaint case No. 795C of 2000 in which the cognizance of the alleged offences has been taken against them, though the said cognizance was taken in the year 2000 but thereafter, no summon or notice or bail warrant was served upon the petitioners and the learned trial court issued the processes under Sections 82 and 83 of Cr.P.C simultaneously on 28.05.2024 and only then the petitioners got the information of the said complaint case and they never intentionally avoided their appearance before the trial court.

5. Learned APP appearing for the State submits that the



prayer of the petitioners is not maintainable as admittedly against them the processes under Sections 82 and 83 of Cr.P.C. have been issued and they have remained absent for a long period before the trial court due to which the trial of the petitioners could not have started till date.

6. Considering the aforesaid submissions advanced by the learned APP, this Court is not inclined to grant the relief of anticipatory bail to the petitioners, accordingly, their prayer stands rejected, however, the petitioners are given a liberty to surrender before the trial court, if they avail the said liberty within three weeks from today then the learned trial court will decide their regular bail prayer on the same day keeping in view petitioners’ the plea that between the year 2000 and 2024, no summon or notice or bail warrant if any which are said to have been issued by the trial court during the said period, was served upon them without being prejudiced with this rejection order.

(Shailendra Singh, J)

maynaz/-

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

