

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8721 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Babloo Prasad Gupta @ Bablu Gupta S/O Damri Sah R/vill.- Mansoorpur, P.S.- Durgawati, Dist.- Kaimur
2. Badau Prasad Gupta @ Ram Kumar Gupta S/O Hamri Sah R/vill.- Mansoorpur, P.S.- Durgawati, Dist.- Kaimur
3. Damri Sah S/O Shobha Sah R/vill.- Mansoorpur, P.S.- Durgawati, Dist.- Kaimur
4. Meena Devi W/O Damri Sah R/vill.- Mansoorpur, P.S.- Durgawati, Dist.- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kaveri Kumari W/O Late Satendra Gupta R/vill.- Mansoorpur, P.O.- Kashthari, P.S.- Durgawati, Dist.- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Mishra
For the State	:	Mr.Tapeshwar Sharma
For the O.P. No. 2	:	Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 5 18-12-2025
1. Heard learned Counsel for the petitioner no. 3, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Durgawati Police Station Case No. 276 of 2023, dated 12.08.2023, disclosing offences punishable under Sections 323/324/376/415/420 of the Indian Penal Code.
 3. The prosecution case, as per the First Information Report,



is that the marriage of the informant was solemnized with Satyendra Gupta, son of petitioner no. 3, who died in a road accident. After his death, co-accused Chotu Prasad Sah , brother-in-law (devar) of the informant made proposal to marry the informant. On the assurance of the marriage, co-accused Chotu Prasad Sah established physical relationship with the informant. It has further been alleged that co-accused Chotu Prasad Sah withdrew a sum of Rs. 1,10,000/-, which was given to the informant in lieu of death compensation of her husband.

4. Learned Counsel for the petitioner no. 3 submits that the petitioner has falsely been implicated in this case being the father-in-law of the informant and father of co-accused Chotu Prasad Sah. He further submits that similarly situated petitioner nos. 1, 2 and 4 have been granted anticipatory bail by a co-ordinate Bench of this Court. He next submits that in fact the informant is residing in the house of petitioner no. 3 and looks after the affairs of the family, including farming. The petitioner no. 3 is residing at Bokaro instead of his native place.
5. On the other hand, learned Counsel for the informant opposes the prayer for anticipatory bail and submits that



the petitioner no. 3 had given assurance that he would take care of the complainant by transferring a piece of land in favour of the informant and also to return the tempo, which was purchased by the informant, but the petitioner no. 3 has not fulfilled his promise.

6. Considering the rival submission of the parties and the fact that the stand of the petitioner no. 3 is that the informant is residing in the village, taking care of farming and other affairs of the family and the petitioner is residing at Bokaro and the petitioner nos. 1, 2 and 4 have been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant the petitioner no. 3 privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner no. 3, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Mohania, in connection with Durgawati Police Station Case No. 276 of 2023, subject to the condition laid down under Section



438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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