

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7879 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- PHULWARIA District- Begusarai

1. Shambhu Prasad Gupta S/o Late Jageshwar Lal Gupta R/o vill - Shokahara 02, Rajendra Road, ward no. 15, P.S.- Phulwaria, Distt.- Begusarai
2. Milan Devi @ Milan Gupta W/o Shambhu Prasad Gupta R/o vill - Shokahara 02, Rajendra Road, ward no. 15, P.S.- Phulwaria, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP
For the Informant	:	Mr. Randhir Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners, learned
A.P.P for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with Phulwariya P.S. Case No. 104 of 2024 dated 20.07.2024 registered for the offence punishable under Sections 103, 80(2), 61(2) and 3(5) fo the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against Nihal Kumar Gupta @ Sonu (husband of the deceased), Shambhu Prasad Gupta (petitioner no. 1), Milan Gupta (petitioner no. 2), is that they all together started harassing the sister of the informant and earlier also she had also attempted to commit murder. On 19.07.2024, the



informant talked to husband of the deceased, who told him that her sister has died. The marriage of the deceased took place on 7th April, 2022.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the petitioner no. 1 is the father-in-law of the deceased and the petitioner no. 2 is the mother-in-law of the deceased. It is submitted that on the date of occurrence, the husband of the deceased informed the brother of the deceased that his sister has died. It is submitted that from perusal of F.I.R., there is allegation of demand of dowry but neither any dowry was received at the time of the marriage nor any dowry was demanded before or after the marriage. It is stated by the informant (brother of the deceased) that husband of the deceased tortured and assaulted her due to which she has died. The petitioners are in custody since 21.07.2024, having one criminal case against them and charge-sheet has been submitted in the case.

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

6. Learned counsel for the informant vehemently opposed the prayer for bail of the petitioner. It is submitted that the



husband of the deceased is in jail. It is further submitted that husband of the deceased, his father and mother are residing together and jointly they hatched a conspiracy and committed the said crime.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Phulwariya P.S. Case No. 104 of 2024.

(Khatim Reza, J)

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