

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43024 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- NAWADA District- Nawada

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1. Om Prakash Gupta S/o Natho Saw R/o Mohalla- Line Par, Mirzapur, P.S- Nawadah, District- Nawadah
 2. Sonu Gupta S/o Om Prakash Gupta R/o Mohalla- Line Par, Mirzapur, P.S- Nawadah, District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr.Ajay Kumar Jha, Adv

For the State:

Mr. Ram Priya Sharan Singht, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners seeks bail in a case registered for the offences punishable under Sections 126, 115, (2), 117(2), 109(1), 67, 351(2), 352, 83, 89, 3(5) of BNSS.

3. The allegation in the FIR is that on account of a dispute with her husband and her in-laws, the informant was staying along with two children in a rented house when one Suraj Kumar lured her into a love relationship and also performed marriage with her. There is an allegation that the mother, father and brother of the said Suraj Kumar subsequently assaulted the informant along with Suraj Kumar, who further treated her with cruel behaviour.

4. Learned counsel for the petitioners submits that it would be apparent from the FIR itself that the thrust of the



allegation is upon Suraj Kumar with whom the informant was having a love relationship and had also got married. The petitioners are the father and brother of the said Suraj Kumar and it is only on account of their relationship they have been made an accused in the present case. It is further submitted that the informant is a lady of questionable character and she had also earlier filed a case against one Ramnath and others under section 376 etc which was Mahila P.S.Case No. 17 of 2020. It is thus submitted that the present case has been filed with a oblique motive of extortion and the petitioners have no criminal antecedent. The petitioners are in custody since 13.02.2025 and the petitioner no. 1 is a senior citizen aged about 60 years.

5. The learned APP for the State opposes the grant of bail .

6. Taking into consideration the facts that petitioners have no criminal antecedent, let, the above named petitioners, be released on bail on furnishing bail bonds of Rs 10,000/- (ten 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 Nawada P.S.Case No. 64 of 2025.

(Soni Shrivastava, J)

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