

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74334 of 2018

Arising Out of PS. Case No.-962 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Natraj Gupta Son of Sri Yogesh Chandra jee, Resident of Dhrub Dangal, Near
Railway Crossing Panjabi Para, P.O.-Radhanagar Road P.S.-Heerapur,
District-Burdwan. West Bengal.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nisha Gupta @ Nisha Kumari Daughter of Late Dineshwar Prasad, Resident
of Mohalla-Laluchak, Angari Near Avilasha Bhawan, P.S.-Lodipur, District-
Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present petition has been filed under Section
482 Cr.P.C. for quashing the order dated 10.07.2018 passed by
the learned 1st Additional District and Sessions Judge,
Bhagalpur in A.B.P. No. 759 of 2018, arising out of Complaint
Case No. 962 of 2017 by which the learned 1st Additional
District and Sessions Judge while granting anticipatory bail to
the petitioner had imposed harsh, excessive, onerous conditions.

3. Learned counsel for the petitioner submits that the
petitioner is aggrieved by Condition No. 2 imposed in the



impugned order dated 10.07.2018. He further submits that the petitioner has not demanded any dowry and has not tortured the informant, hence, the said condition may cause prejudice against the petitioner. He submits that Condition No. 2 is harsh excessive, which is liable to be quashed.

4. Learned A.P.P. for the State submits that the said condition shall not prejudice to the petitioner and shall not prejudice in the trial, however, he fairly submits that Condition No. 2 imposed in impugned order may be quashed.

5. In view of the submissions of learned counsel for the parties and considering the above facts and circumstances, Condition No. 2 imposed in the impugned order dated 10.07.2018 is set aside. Accordingly, the present petition is allowed to that extent.

(Sunil Dutta Mishra, J.)

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