

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1241/2026}
(Arising Out of Complaint Case No. 1494/2021)

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Ajay Gupta, aged about- 41 years, S/o- Nageshwar Gupta;
R/o- Mohalla- Turki Khararu, P.S.- Minapur,
Distt.- MuzaffarpurPetitioner.
Vs.

1. State of Bihar

2. Usha Kumari, aged about- 41, W/o- Ajay Gupta

R/o Village- Maksudpur, P.S. Aurai, Distt.- Muzaffarpur.....Opposite Parties;

ORDER

23.05.2026. Instant application for grant of anticipatory bail has been filed on behalf of petitioner named above who apprehends his arrest in connection with Complaint Case No. 1494/2021 in which summons has been issued in offences punishable U/ss. 498A & 4 D.P of Act.

Heard Mr. Govind Kumar, learned advocate for the petitioner and Ms. Sangita Sahi, learned Addl. P.P. for the State as well as Prameshwar Singh Khalsa, Ld. Advocate for the informant.

Petitioner is husband of the complainant and as per the complaint-petition, marriage between the two has been solemnized on 11.03.2011. In course of hearing, parties had been referred to the mediation centre, Muzaffarpur for settlement of the dispute but the same has been returned as not settled with the opinion that there is huge difference of opinion between the parties.

Prosecution case, in brief, is that soon after complainant's marriage with the petitioner, petitioner and his family members started torturing complainant physically and mentally for a four wheeler in dowry. Further case of the prosecution is that complainant bore ill treatment and about 6 years ago, she delivered a son. In the month of February 2021, she became pregnant again.

Allegation against the petitioner is that he administered her wrong medicines and got her pregnancy terminated and ultimately on 5.07.2021, complainant was expelled from the house.

Learned advocate for the petitioner has submitted that petitioner is quite innocent. He has no criminal history and no bail petition has been filed earlier on his behalf before either this court or the Hon'ble High Court, Patna. All allegations of demand of dowry at the time of his marriage and subsequent thereto is totally false. Real fact is that complainant did not want to household chore and she voluntarily left her in-laws house on 05.07.2021 in absence of the petitioner and when petitioner went to his sasural to bring back complainant, she asked him to settle in his sasural and when petitioner did not agree, he was threatened to be implicated in a false case. Ld. Advocate for the petitioner has also submitted that petitioner was and is always ready to look after his wife complainant but the complainant is not ready to live with the petitioner in his house and petitioner is

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Contd..... also not ready leave his old aged parents. Hence, he may be granted anticipatory
23.05.2026 bail.

Learned Addl. P.P. for the state as well as learned advocate for the informant has vehemently opposed the prayer for anticipatory bail.

After hearing learned advocates from both sides, this court perused the certified copy of F.I.R., copy of case diary and report of the mediation centre, Muzaffarpur and then finds that attempt of mediation between the parties by this court and by the office of the District Legal Service Authority Mediation Centre, Muzaffarpur has failed. Report of the Mediation Centre, Muzaffarpur mentions that there is a huge difference of opinion between both the parties as a result of which there is no possibility of compromise between the two. The marriage has taken place almost about 15 years ago and allegation against the petitioner is general and omnibus. Although, complainant has levelled allegation against the petitioner for terminating her pregnancy in the year 2021, she has filed photocopies of medical reports of the year 2024 which gives the impression that she was pregnant in the year 2024. Moreover, the offences in which petitioner has been summoned is punishable with imprisonment up-to 7 years.

So, considering the above facts, this court is inclined to grant petitioner anticipatory bail.

Accordingly, in the event of arrest or surrender within 30 days of passing of this order, petitioner is directed to be released on his furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount subject to the condition as mentioned in the Section 438(2) of Cr.P.C.

With above observation, this anticipatory bail petition is hereby **allowed**.

Let a copy of this order be forwarded to the court of S.D.J.M., Muzaffarpur (East) for information & needful.

Dictated.
Sd/-
(Awdesh Kumar)
3rd Addl. Sessions Judge
Muzaffarpur.