

In the Court of Sessions Judge, Supaul
A.B.A.-1856/2025 & ABA-31/2026
(Arising out of Complaint Case No:-341C/2024)

	<u>ABA-1856/2025</u>	
	1. Santosh Kumar Gupta, S/o- Kalicharan Gupta; 2. Kalicharan Gupta, S/o- Late Kunji Sah; 3. Veena Devi, W/o- Kalicharan Gupta; all R/o- Nemua, Ward No.04, PS + District- Supaul;	Accused/Petitioners
	State of Bihar.	O.P.
	<u>ABA-31/2026</u>	
	Shankar Kumar Gupta, S/o- Kalicharan Gupta, R/o Nemua, Ward No.04, PS + District- Supaul;	Accused/ petitioner
	State of Bihar	O.P.
<u>24/03/2026</u>	Ld. Counsel for petitioners Sri. Janardhan Prasad Sah, Advocate. Ld. PP Sri. J.N.Pandey, for the State. Ld. counsel for complainant Sri. Mahendra Prasad Sah, Advocate. By this order we are going to dispose off two anticipatory bail applications i.e., ABA-1856/2025 filed on behalf of three accused/ petitioners, namely Santosh Kumar Gupta, Kalicharan Gupta and Veena Devi and ABA-31/2026 filed on behalf of accused/ petitioner, namely Shankar Kumar Gupta, who are apprehending their arrest. As both the anticipatory bail applications arise out of same complaint i.e., Complaint Case No.341C/2024, U/s- 498(A), 323, 341/ 34 of IPC and 3/ 4 of D.P.Act. Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no offence and they have falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioners have not involved in any other case and having the clean antecedent. He further submitted that the offence u/s- 498(A) of IPC and 3/ 4 of D.P.Act is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail. Ld. PP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that a complaint case was filed by the complainant namely Nutan Kumari against 4 accused persons, the petitioners herein. As per the statement of the complainant the allegation against the accused	
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<p><u>Contd.</u> <u>24/03/2026</u></p>	<p>persons are that her marriage was solemnized with accused/ petitioner Shankar Kumar Gupta on 22.02.2010 as per the Hindu Rites and Customs. He further submitted that her parents have given the sufficient dowry to the accused persons and after the marriage she resides at her matrimonial home for about 2 years peacefully and the couple was also blessed by a daughter. Thereafter, the conduct of the accused persons was changed and they demanded Rs. 5 lakh as dowry to start a shop and also demanded one motorcycle. When the complainant informed her parents and her parents have also tried to convince the accused persons but the accused persons continuously torturing the complainant for the demand of dowry and in the year 2018 the complainant qualified the examination for the post of Constable in Bihar Police but the accused persons are not happy for the achievement of the complainant. When the complainant join her job the accused persons have taken away her ATM Card and also taken away the signed cheque book and snatched her all jewelries and educational certificates. The husband of the complainant demanded her cash to purchase some plot at Nemua. Thereafter, the complainant took the loan and handed over the cash to her husband, but her husband has purchased the land at the name of his mother namely Veena Devi. When the complainant enquired from her husband then her husband has mercilessly assaulted her and thrown out from her matrimonial home.</p> <p>Argument heard from both sides and perused the lower court record. On perusal of lower court record, it transpires that in this case the complainant also examined other witnesses namely Shrilal Sah and Shiv Shankar Paswan and on the basis of the above-said statement, the Ld. Magistrate has taken cognizance against the accused/ petitioners, u/s- 498(A), 323, 341 of IPC and 3/ 4 of D.P.Act vide order dated 12.11.2025. On minute scrutiny of entire record, it transpires that the main grievance of the complainant is that her husband has purchased the immovable property at the name of her mother-in-law Veena Devi. Besides this there is no any specific allegation against the accused/ petitioners. It is also pertinent to mention here that the complainant is working in Bihar Police as Constable and there is no any custodial interrogation is required. The case revolves on complaint petition. The offence under which the cognizance was taken by the Ld. Magistrate is punishable for less than 7 years. Hence, as per the</p>	<p>Contd.</p>
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Ratio laid-down by the Hon'ble Supreme Court in case of "**Satendra Kumar Antil Vs. CBI**" and our own Hon'ble High Court, Patna in case of "**Naushad Ansari Vs. The State of Bihar**", I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, prayer for anticipatory bail of all accused/ petitioners stands **Allowed** and in the event of their arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioners are directed to be released on furnishing bail bonds of Rs.20,000/- each with two sureties of like amount each to the satisfaction of Learned Court below with condition that they shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative.

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul