

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57646 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. Amarnath Gupta, S/o Shatrudhan Gupta @ Shatrughana Gupta R/o Villae/
Town- Balughat Macharhatta, P.S.- L.M.N.U., District- Darbhanga.
 2. Reena Devi @ Tara Kumari W/o Amarnath Gupta R/o Village/ Town-
Balughat, Macharhatta, , P.S.- L.M.N.U, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in
connection with L.N.M.U P.S. Case no. 136 of 2019, registered
under Sections 341, 323, 376, 511, 504 and 354/34 of the
Indian Penal Code.

The accusation is that in the morning of
07.05.2019, when informant was in her bathroom, in the
meantime, Amarnath Gupta (Petitioner No.1) entered into the
bathroom and shut the door of the bathroom, unfolded her
clothes and tried to commit rape upon the informant. At that
time, petitioner No.1 also took her necked photograph through



mobile and gave threatening to viral the same. When her husband accompanied her DMCH then petitioner No.2 Rina Devi gave threatening to lodge false case, if the matter would be disclosed to anyone.

Learned counsel for the petitioners submits that, in fact, petitioner No.1 is the brother-in-law and petitioner No.2 is the Gotani of the informant. The quarrel and scuffle took place between the parties due to land dispute and only to put undue pressure upon the petitioners, the informant lodged the present case with false allegation of disrobing her. Further submission is that due to land dispute petitioner No.1 has also lodged LNMU P.S. Case No. 137 of 2019. Moreover, after realizing the fact, the informant filed compromise petition in the Court of A.C.J.M-IV, Darbhanga on 22.05.2019, which would appear from Annexure-2. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-IV, Darbhanga in connection with LNMU P.S. Case No. 136 of 2019, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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