

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73058 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. SANJIT GUPTA @ SANJIT PRASAD GUPTA, aged about 41 years, Male, Son of Shatrudhan Gupta @ Shatrudhan Prasad Gupta, Resident of Mohalla- Chaknijam Ganj, P.S.- Lalbag, District- Darbhanga
 2. Rakhi Devi @ Rakhi Gupta, aged about 36 years, Female, Wife of Sanjit Gupta @ Sanjit Prasad Gupta, Resident of Mohalla- Chaknijam Ganj, P.S.- Lalbag, District- Darbhanga ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Alok, Adv.

For the Opposite Part : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with LNMU P.S. Case No. 137 of 2019 registered under Sections 341, 323, 376, 511 and 354/34 of the Indian Penal Code.

The accusation is that while the property was partitioned by metes and bonds, but, three sons of the informant, Munni Devi, while two sons vacated the house, but, one son, Sanjit Gupta (petitioner no. 1) did not vacate the house. On 07.05.2019, at 07.00 a.m. when informant reached at the house to lock the room, then, her son, Sanjit Gupta, along with his wife, daughter-in-law and two others came and caused assault on her, while another brother-in-law tried to save her, but, attempt was made to commit rape on her daughter-in-law.



Submission is that due to dispute of partition of the house, Munni Devi, mother of petitioner no. 1 and mother-in-law of petitioner no. 2, has lodged the present case. More over, the dispute has already been settled and compromise petition has been filed by the informant in the Court of the Additional Chief Judicial Magistrate, IV, Darbhanga, on 22.05.2019.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with LNMU P.S. Case No. 137 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IV, Darbhanga, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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