

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81631 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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RAM EKBAL CHAUDHARY Son of Late Chulhan Chaudhary Resident of
Village - Lakhana, Post- Lakhana, Police Station- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mostt. Urmila Devi Wife of Late Budh Deo Chaudhary Resident of Village-
Lakhana, Post- Lakhana, Police Station - Gaurichak, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Naresh Ray
For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 323,406,420 and 34 of the Indian Penal Code in connection with Complaint Case No. 128(C) of 2019 (District-Patna).

As per the allegation in the complaint, the husband of the complainant and the petitioner happens to be the full brother. It is stated that partition had taken place in the family on 3.1.2005, however, after the death of the husband of the complainant, the petitioner has proceeded to sell the lands which



did not fall in his share.

It is submitted by learned counsel for the petitioner that from the allegation itself it appears that it is a case of civil dispute relating to partition of property within the family. The petitioner has no criminal antecedent.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, let the petitioner above named be enlarged on bail, in the event of his arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Masaurhi, District Patna in connection with Complaint Case No. 128(C) of 2019 (District-Patna) subject to the conditions stipulated under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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