

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32064 of 2017

Arising Out of PS. Case No. -47 Year- 2017 Thana -BHARGAWAN District- ARRARIA

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Dilip Chaupal, Son of Maheshwari Chaupal resident of village
Shankarpur, Ward No. 1, Police Station - Bhargama, District - Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarnath Singh,
Mr. Kamal Kishore Singh, Advocates

For the State : Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 11-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 28.04.2017 in connection with Bhargama P.S. Case No. 47 of 2017 for the offences alleged under Sections 341, 323, 324, 327, 307, 354, 379 and 504/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with a land dispute between the parties. There is an inordinate delay in instituting the first information report on 01.04.2017 for the alleged occurrence of 27.03.2017 but for the same occurrence, Complaint Case No. 633C of 2017 has been filed on 03.04.2017 containing different versions with regard to the manner of occurrence which creates considerable doubt about the veracity of the accusation in the FIR. The injury report has been prepared after two months of the occurrence on 27.05.2017. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 47 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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