

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27146 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -PANDAU District-
MADHUBANI

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Ghuran Chaupal, Son of Late Sri Chaupal, Resident of
Village - Nahar Baluaha, Police Station - Pandaul, District -
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramprit Chaupal, Son of Soman Chaupal.
3. Shyam Chaupal, Son of Soman Chaupal.
4. Naresh Chaupal, Son of Soman Chaupal.

All are residents of Village - Nahar Baluaha, Police Station -
Pandaul, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kritya Nand Jha, Adv.

For the State : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 20-06-2018 A supplementary affidavit has been filed on
behalf of the petitioner during the course of the hearing of
this case. Let it be taken on record.

The petitioner/informant seeks cancellation of
bail of opposite party Nos. 2, 3 and 4, which was granted to
them in A.B.P. No. 1485 of 2017 by the learned 1st Additional



Sessions Judge, Madhubani in connection with Pandual P.S. Case No. 32 of 2017, instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

There was some dispute between the opposite parties and the petitioner a day prior to the occurrence. Later, on the accused persons trying to uproot bricks from the land of the petitioner, an altercation took place in which three persons from the side of the petitioner/informant were injured. The opposite parties are alleged to have assaulted them by means of *garasa* and bamboo sticks. The injuries suffered by the victims are stated to be simple in nature. Taking this fact into account, the court below granted anticipatory bail to the opposite parties.

Learned counsel appearing for the petitioner, however, has submitted that the injuries were reported to be simple only after two months of the occurrence. In fact, it has been argued, the victims had to be taken to D.M.C.H., Darbhanga for further treatment and they remained hospitalized for quite sometime.

However, considering the circumstances in which the occurrence took place and the fact that the injuries suffered by the victims of this case are reported to be simple in nature, I do not wish to interfere with the order granting



bail to the opposite parties.

While saying so, I have also taken note of the fact that a word of caution has been recorded in the order impugned that the opposite parties shall refrain from threatening the witnesses of this case.

As such, the petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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