

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25574 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- KEWATI District- Darbhanga

1. RAJA CHAUPAL, aged about 36 years, Male, Son of Nago Chaupal @ Nago Choupal. Resident of Village - Chakka, P.S.- Keoti, District - Darbhanga (Bihar)
2. Dhani Chaupal @ Dhaniram Kumar Chaupal, aged about 50 years, Male, Son of Nato Chaupal, Resident of Village - Chakka, P.S.- Keoti, District - Darbhanga (Bihar)
3. Pradeep Chaupal, aged about 40 years, Male, Son of Nago Chaupal @ Nago Choupal, Resident of Village - Chakka, P.S.- Keoti, District - Darbhanga (Bihar)
4. Ravi Chaupal @ Rabi Chaupal, aged about 28 years, Male, Son of Mithilesh Chaupal Resident of Village - Chakka, P.S.- Keoti, District - Darbhanga (Bihar)
5. Mithilesh Chaupal, aged about 52 years, Male, Son of Late Bauye Chaupal Resident of Village - Chakka, P.S.- Keoti, District - Darbhanga (Bihar)

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Vinay Kumar Mishra, Adv.
For the Opposite Party : Mr. Dashrath Mehta, d APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 05-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Keoti P.S. Case No. 115 of 2018 for the offences alleged under Sections 328, 302 and 34 of the Indian Penal Code.

The accusation is that informant performed the marriage of his daughter, Manju Devi, in 2003 with Ramesh Chaupal and due to their wed lock there are four children. The son-in-law of the informant, Ramesh Chaupal, use to work at



Bengalore. On 19.07.2018 the in-laws of his daughter informed on phone that her daughter has consumed poison and rushed to Darbhanga Medical College and Hospital, the informant rushed to Darbhanga Medical College and Hospital where the treatment was going on, but, she died in course of treatment. Informant claimed that her daughter has been killed by administering poison by her in-laws.

Learned counsel appearing for the petitioner submits that admittedly the marriage of the daughter of the informant was performed with Ramesh Chaupal in 2003 and she died due to consuming poison on 19.07.2018. It is submitted that in fact the deceased-daughter of the informant was mediator in the marriage of her sister which was performed in the same village and due to some reason and misunderstanding there was general quarrel on phone in between the deceased and her mother, due to that reason she consumed poison and she was rushed by the petitioners for treatment to Darbhanga Medical College and Hospital giving information to the informant, but, due to ulterior motive, the informant falsely implicated the petitioners.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

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 Keoti P.S. Case No. 115 of 2018 shall be released on pre-arrest 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 Chief Judicial Magistrate, VII, 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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