

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69746 of 2019**

Arising Out of PS. Case No.-129 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

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MAHENDRA CHAUPAL Son of Late Sukhdeo Choupal Resident of Village
- Brahmpur, P.S.- Kusheshwar Asthan, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shama Sinha
For the Opposite Party/s : Mr.Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 10-01-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Kusheshwar Asthan PS case no. 129 of 2019 instituted
for the offence punishable under Sections 323, 341, 302, 379,
504/34 of Indian Penal Code.

The allegation is regarding the petitioner and
other accused persons having certain disputes with the father
of the informant and they are stated to have come to the
garment shop of the informant, whereafter the co-accused
person namely Siyawar Chaupal had picked up the cloth
measurement rod and had hit on the head of the father of the
informant, whereafter the other accused persons are said to



have caught hold of the father of the informant and had engaged in assaulting him.

The learned counsel for the petitioner has submitted that only one injury has been found in the post-mortem report on the person of the deceased father of the informant i.e. on the head of the deceased, however no other injury has been found on the person of the deceased, hence it is submitted that if at all any fatal blow has been inflicted, it is attributable to the co-accused person namely Siyawar Chaupal only and the petitioner has got no complicity in the matter, especially he being 70 years of age. The petitioner is stated to be having a clean antecedent and is languishing in custody since 21.06.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and there is no allegation of giving the fatal blow on the deceased, as far as the petitioner herein is concerned, I deem it fit and appropriate to release the abovenamed petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate, 1st class, Biraul, Darbhanga in
connection with Kusheshwar Asthan PS case no. 129 of 2019.

(Mohit Kumar Shah, J)

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