

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38881 of 2021

Arising Out of PS. Case No.-288 Year-2019 Thana- RANIGANJ District- Araria

PAWAN CHOUPAL @ PAWAN CHAUPAL @ PAWAN CHOPAL S/O LATE
KAISHORI SHARMA @ KISHORI CHOUPAL R/o village- Baingwahi
Parsahat, Ward No. 1, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 09-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code to which sections 302, 201 and 120B of the Indian Penal Code were added subsequently.

As per the prosecution case, the son of the informant went with the accused Raja Kumar and thereafter did not return. It is stated that on going to the house of Raja Kumar and on making enquiries, the accused persons including the petitioner herein, who happens to be member of the family of Raja Kumar, started to abuse and threatened her. The informant states that she is convinced that the accused persons have a hand in the kidnapping of her son.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. In course of investigation, on some skeletons having been recovered, the same were examined by the Department of Forensic Medicine and Toxicology J.L.N. Medical College, Bhagalpur. Cause of false implication of the petitioner is that his granddaughter (daughter's daughter) was having a relationship with the deceased and, therefore, the suspicion. There are no eye witness to the occurrence. The petitioner is in custody since 8.2.2020 and undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the material that has transpired in course of investigation together with the petitioner having remained in custody for more than 2 years, the Court directs the petitioner to be enlarged on bail in connection with Raniganj P.S. Case no.288 of 2019 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 Additional Chief Judicial Magistrate VI, Araria.

(Partha Sarthy, J)

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