

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36181 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- JAMALPUR District- Darbhanga

- =====
1. Kalpu Chaupal, Son Of Late Ghoghan Chaupal.
 2. Triveni Chaupal, Son Of Kalpur Chaupal.
- Both are R/O Village- Baghrasi, P.S.- Jamalpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioners and the

learned APP for the State.

Let the defect(s) be removed within four weeks of

the complete start of the physical Court in normal course.

The petitioners are in judicial custody in

connection with Jamalpur P.S. Case No.42 of 2022 instituted

under Sections 302/34 of the Indian Penal Code.

The allegation in the FIR is of causing death to the

daughter of the informant namely Sangeeta Devi (deceased).

The further allegation is that upon information, when they

reached there, found her lying dead in the Veranda and the

in-laws had disappeared. Accordingly, the present was

lodged.



Learned counsel for the petitioners submit that while the petitioner no.1 is father-in-law aged about 73 years, petitioner no.2 is the brother-in-law of the deceased (Bhaisur). It is further submission of the learned counsel for the petitioner is that the husband of the deceased is in custody.

Learned counsel for the informant on the other hand submits that there is allegation against all of them of beating the lady causing her death.

Taking into account the fact that the husband of the deceased is in custody, the petitioners are in jail since 26.03.2022, they do not have any criminal antecedent and charge-sheet stands submitted, this Court is inclined to grant them privilege of bail. However, if it is found that any of the statement made by the counsel for the petitioner is/are false, this bail order shall become infructuous.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each in connection with Jamalpur P.S. Case No.42 of 2022 to the satisfaction of learned S.D.J.M., Biraul, Darbhanga, subject to following conditions:



(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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