

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.9204 of 2023**

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

Chhotu Chaupal @ Aditya Chaupal Son Of Kalpu Chaupal R/V- Baghrasi,  
P.S.- Jamalpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
ORAL ORDER

4      21-08-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code but charge sheet has been submitted under Sections 304B, 34 of the IPC.

As per prosecution case, the allegation against the accused persons including the petitioner is that committed murder of the informant's daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Due to family dispute the deceased committed suicide and the



petitioner is husband of the deceased due to which he has falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence and no specific allegation of commission of murder levelled against the petitioner. It is further submitted that except suspicion no consistent material has come out against the petitioner. As per Postmortem Report, doctor not opined in respect of death of the deceased and as per FSL Report, Aluminium Phosphide which is commercially known as Celphos is detected. The petitioner is languishing in judicial custody since 26.03.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Jamalpur (Baragaon O.P.) P.S. Case No. 42 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Judicial  
Magistrate-Ist, Class Biraul, Darbhanga.

**(Sunil Kumar Panwar, J)**

Manishkumar/-

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