

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67473 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- PHULPARAS District- Madhubani

1. KUSHESHWAR CHAUPAL S/O LATE DANI CHAUPAL VILLAGE-KONAR, PS- PHULPARAS DIST- MADHUBANI
2. KAMAL DEV CHAUPAL @ KAMALDEO CHAUPAL SON OF KUSHESHWAR CHAUPAL VILLAGE- KONAR, PS- PHULPARAS DIST- MADHUBANI
3. SANTOSH CHAUPAL SON OF KUSHESHWAR CHAUPAL VILLAGE-KONAR, PS- PHULPARAS DIST- MADHUBANI
4. MANJU DEVI WIFE OF KAMAL DEV CHAUPAL VILLAGE- KONAR, PS- PHULPARAS DIST- MADHUBANI
5. SANJILA DEVI @ SANJEELA DEVI WIFE OF SANTOSH CHAUPAL VILLAGE- KONAR, PS- PHULPARAS DIST- MADHUBANI
6. LUCHNI DEVI WIFE OF KUSHESHWAR CHAUPAL VILLAGE-KONAR, PS- PHULPARAS DIST- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti , Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 341 , 323 , 308 , 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR-named accused persons, including these petitioners, committed theft of banana from the land of the informant, and when she



protested, the accused persons started abusing her and tried to drown her in water. Due to that, she felt suffocation and became unconscious. The accused persons also assaulted her and tried to outrage her modesty, and they also committed theft of the golden chain worth Rs 55,000/- from her.

4. The learned counsel for the petitioner submits that, on account of the land dispute, the petitioners have falsely been implicated in this case. Though there is an allegation of assault, but there is no injury report on the record. It is further submitted that as a matter of fact, on the alleged date of occurrence, the informant side brutally assaulted the petitioners side, for which the petitioners side lodged a case vide Phulparas P.S. Case No. 399 of 2022 dated August 17, 2022, against the informant side. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – II, Jhanjharpur,



District - Madhubani in connection with Phulparas P.S.
case No. 385 of 2022 , subject to the conditions laid down
under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

