

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.493 of 2023**

Arising Out of PS. Case No.-88 Year-2021 Thana- BAHERI District- Darbhanga

Rabindra Chaupal @ Ravinder Chaupal S/O Late Ram Lakhan Chaupal R/O  
Village- Arhi, P.S- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari D/O Late Dinesh Yadav R/O Village- Arhi, P.S- Baheri,  
District- Darbhanga

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kaushalesh Choudhary, Advocate  
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      04-05-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned Additional Public Prosecutor appearing  
on behalf of the State.

The accused/petitioner is named in the F.I.R. and  
apprehended his arrest in connection with Baheri P.S. Case  
No.88 of 2021 registered for the offences punishable under  
Sections 147, 148, 341, 323, 379, 354-A, 308, 504, 506, 435 and  
427 of the Indian Penal Code.

The allegation against the petitioner is to assault  
informant by means of pointed piece of brick alongwith other  
co-accused persons/family members, having intention to cause



death, where dispute arises out of land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is of free fight in nature, where counter case was registered as Baheri P.S. Case No.87 of 2021. It is submitted that land dispute between parties under Section 144 of the Cr.P.C. is also pending. It is also submitted that allegation against this petitioner is to cause single injury on the head of the informant without having any intervening circumstance, suggesting that petitioner was not under intention to cause death. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as occurrence is appearing free fight in nature, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist-Class, Darbhanga/concerned Court below where the case is pending in



connection with Baheri P.S. Case No.88 of 2021 subject to the  
conditions as laid down under Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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