

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24 of 2023

Arising Out of PS. Case No.-86 Year-2022 Thana- SAKATPUR District- Darbhanga

1. Sajjan Chaupal Son Of Tuntun Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
2. Lalu Chaupal Son Of Malhu Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
3. Ram Kumar Son Of Pawan Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
4. Malhu Chaupal Son Of Makhan Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
5. Kanhaiya Chaupal Son Of Ramdev Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
6. Guddu Kumar Son Of Ramdev Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
7. Pramodi Chaupal Son Of Ram Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga
8. Rajdev Chaupal Son Of Anand Chaupal Resident Of Village- Shri Rampur Dargah Tole, P.S.- Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 At the outset, It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application against petitioner nos. 1, 2, 3, 4, & 7.

Permission is accorded.

This application is dismissed as withdrawn against petitioner nos. 1, 2, 3, 4, & 7.



Learned counsel is pressing this application in respect of petitioner nos. 5, 6 & 8 and seek regular bail in connection with Sakatpur P.S. Case No. 86 of 2022 registered for the offence under Sections 147, 148, 149, 341, 307, 323, 353, 506, 509 of the Indian Penal Code and Section 3/4 Witch Act.

As per prosecution case, it is alleged that on 6.9.2022 son of Shyam Chaupal was missing and his dead body was found in under construction house of the informant. Thereupon, the accused persons entered into house of the informant saying that she killed the boy and kept in her house. The accused persons also assaulted informant's mother-in-law saying her Daain. It is further alleged that accused Lalu Choupal and Ganga Choupal poured petrol on her.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners and informant are co-villagers and due to grudge and enmity, the petitioners have falsely been implicated in this case. The present case is counter blast to the case filed by co-accused Gulab Devi vide Sakatpur P.S. Case No. 85 of 2022 against the informant and others. From perusal of prosecution case, general and omnibus allegation leveled against these petitioners. A statement has been made in para-3 of the petition that the



petitioners have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 1.10.2022.

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, this court is inclined to enlarge the petitioner nos. 5, 6 & 8 on bail. The above named petitioner nos. 5, 6 & 8 are directed to be released on bail in connection with Sakatpur P.S. Case No. 86 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga.

(Sunil Kumar Panwar, J)

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