

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36637 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

1. Shyamial Chaupal @ Shyamlal Chaupal Son of Prayag Chaupal Resident of Village - Tumaul, P.S.- Ghanshyampur, District- Darbhanga.
2. Prayag Chaupal Son of Wohar Chaupal Resident of Village - Tumaul, P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Ghanshyampur P.S. Case no. 206 of 2023 registered under sections 302, 120B, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the seven named accused persons including the petitioners herein came variously armed and brutally assaulted the informant's brother leading to serious injuries. He further states that his brother was taken from one hospital to the other for better treatment and he finally succumbed to his injuries in



course of treatment in PMCH.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. There are no eye witness to the alleged occurrence. Other co-accused have been enlarged on bail vide order dated 16.4.2024 passed in Cr. Misc. no. 6196 of 2024. The petitioners are in custody since 11.9.2023 and have no criminal antecedent. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R wherein it is stated that as a result of assault by the accused persons, the brother of the informant sustained injuries and died in course of treatment, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioners to renew their prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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