

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62506 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Santosh Chaupal Son of Parmeshwar Chaupal Resident of Village-
Majhiyam, P.S. - Kusheshwar Asthan, District- Darbhanga
 2. Vishal Chaupal @ Vishal Kumar Son of Santosh Chaupal Resident of
Village- Majhiyam, P.S. - Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 147, 148, 149, 341, 323, 324, 308,
504 and 506 of the IPC.

3. Allegation against the petitioner no.1 is of assaulting the
informant by means of iron rod on his head and petitioner no.2
is also said to have assaulted the informant with iron rod.

4. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case due to grudge. No
such occurrence, in the manner as alleged, has ever taken place.
It is submitted that there is a prior dispute between the parties
relating to a tree and for the alleged occurrence, there is a case



and counter-case between the parties and both sides have sustained injury. The head injury of the informant has been found grievous in nature and the same is alleged to have been inflicted by the petitioner no.2. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kusheshwar Asthan P.S. Case No.122 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.
7. However, considering the nature of allegation, I am not inclined to enlarge the petitioner no.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.
8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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