

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10196 of 2025

Arising Out of PS. Case No.-377 Year-2023 Thana- PHULPARAS District- Madhubani

1. Jay Prakash Kumar @ Prakash Chaupal Son of Pramod Chaupal Resident of Village- Belha, P.S. - Phulparas, District - Madhubani
2. Lalita Devi Wife of Pramod Chaupal Resident of Village- Belha, P.S. - Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Smt. Leela Wati Kumari, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Phulparas P.S. Case No. 377 of 2023 dated 11.07.223, registered for the offences punishable under Sections 448, 341, 323, 307, 325, 354(B), 379, 427 and 504/34 of the Indian Penal Code.

3. As per allegation, the petitioners and co-accused Pramod Chaupal entered into the courtyard of the informant and Pramod Chaupal assaulted the informant lady by piece of bamboo leading to injury on her person.



4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no direct allegation against the petitioners and the allegation is mainly against the co-accused/Pramod Chaupal who is not petitioner herein and they have been implicated only on account of being family members.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-II, Madhubani, in connection with Phulparas P.S. Case No. 377 of 2023, subject to



the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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