

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13418 of 2025

Arising Out of PS. Case No.-31 Year-2024 Thana- Narhiya District- Madhubani

1. Ram Pravesh Chaupal @ Rampravesh Chaupal S/O Dilip Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
2. Dilip Chaupal S/O Late Ravi Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
3. Raj Kumar Chaupal @ Rajkumar Chaupal S/O Late Ravi Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
4. Surendra Chaupal @ Surendra Kumar Chaupal S/O Ram Vilas Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
5. Ganesh Chaupal @ Ganesh Kumar Chaupal S/O Ram Vilas Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
6. Binod Chaupal S/O Raj Kumar Chaupal @ Rajkumar Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani
7. Pramod Chaupal S/O Raj Kumar Chaupal @ Rajkumar Chaupal R/O Village-Ward no. 10, Sananpatti, P.S.- Narahiya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Narhiya P.S. Case No. 31 of 2024 lodged on 10.06.2024, for the offence punishable under Sections 341, 323, 307, 504 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against



8 named accused persons including the present petitioners against whom there is an allegation that they have assaulted the informant by iron rod, *khanti*, axe and sticks (*lathi & danda*) and also assaulted the informant's son on his head due to which he sustained head injury.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that criminal antecedent of petitioner nos. 1, 2, 3, 5 and 7 is not clean as there is one case pending against them. But petitioner nos.4 and 6 have no criminal antecedent. Counsel submits that the date of occurrence is 25.05.2024, but the case has been lodged on 10.06.2024 and the delay has not been explained. Counsel further submits that from the contents of FIR, it become crystal clear that for cutting bamboo, the whole dispute started from both the sides in which both the sides were injured. Counsel submits that for the same date and place of occurrence, there is case and counter case i.e. one case has been lodged from the petitioners' side bearing Narhiya P.S. Case No.32 of 2024 and one case has been lodged from the informant' side bearing Narhiya P.S. Case No.31 of 2024. Counsel submits that from perusal of the contents of both the FIRs, cause of dispute is common i.e. cutting of bamboo from



the land.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the injury has been shown in the FIR and there is case and counter case for the same date and place of occurrence.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. 1st, Jhanjharpur, Madhubani, in connection with Narhiya P.S. Case No. 31 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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