

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56001 of 2025

Arising Out of PS. Case No.-603 Year-2023 Thana- BIRAUL District- Darbhanga

Guneshwar Chaupal @ Shree Guneswar Chaupal son of Late Pulkit Chaupal
Resident of Village- Balath Police Station- Biraul District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 603 of 2023 registered for the offence punishable
under Sections 420/467/353 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

4. The case of the prosecution in brief is that on
16.11.1999, a plot bearing Khata No. 338, Khesra No. 84 has
been sold in favour of the petitioner and others by one Md.
Karujamma vide sale deed no. 6972 and 6973 which is alleged
to be a government land and there is also allegation of
obstructing government work.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is in custody since 25.04.2025 with no criminal antecedent. He further submits that as a matter of fact, Jamabandi No. 799 is still going on in the name of Guneshwar Chaupal i.e. the petitioner, and the State of Bihar has been regularly issuing rent receipts. He also submits that the petitioner is the bona fide purchaser of the land by means of registered sale deed in the year 1999 and that no offence has been committed by the petitioner. He further submits that the petitioner is a man of means and not likely to abscond and is ready to furnish the bail bond to the satisfaction of this Court. He also submits that the charge-sheet has already been filed against him and therefore he prolonged the custody is no longer required.

6. On the other hand, learned APP appearing for the State vehemently opposes the prayer for regular bail of the petitioner.

7. Considering the submission made by rival parties and particularly taking note of the fact that the petitioner appears to be bona fide owner of land in question vide sale deeds no. 6972 and 6973 and has been regularly paying the rent for which rent receipts are issued by the State of Bihar. The



Jamabandi No. 799 till date has not cancelled by the authorities and further taking into account the fact that the petitioner is in custody since 25.04.2025, with no criminal antecedent, also coupled with the fact that the charge-sheet has already been filed against the petitioner, for all these reasons, I am inclined to grant bail to the petitioner.

8. Let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten 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 Biraul P.S. Case No. 603 of 2023, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to



move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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