

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61252 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- JAMALPUR District- Darbhanga

1. Bhola Choupal, Son of Kamal Choupal,
 2. Shankar Choupal, Son of Kamal Choupal
- Both are residents of village- Kadwara, P.S.- Jamalpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Jamalpur P.S. Case No. 30 of 2025, registered for the offences under Sections 126 (2), 115 (2), 118 (1), 110, 352, 351 (2) of BNS, 2023.

3. As per prosecution case, the petitioners assaulted the informant with *farsa* and iron rod and subsequently, other co-accused persons joined the petitioners in further assaulting the informant and his father making them unconscious.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners and the informant side are agnates. The



injury report shows two injuries; one abrasion and another fracture on occipital region of scalp and both the injuries have been caused by hard and blunt object. This falsifies the allegation of using *farsa* against the petitioners. Even allegation of using iron rod is against the co-accused Nitish Kumar and there is no specific allegation of assault against the petitioner Shankar Choupal. Thus the injury report falsifies the allegation against the petitioners. The informant has not given any motive for the said occurrence and it appears both sides entered into scuffle resulting into free fight and both sides received injuries. The petitioners are having clean criminal antecedents. The petitioners are in custody since 07.06.2025 and charge sheet has been submitted.

5. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the absence of injury attributed to the petitioners and further considering the submission of charge sheet, period of custody of the petitioners and their clean antecedent, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties



of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Biraul, Darbhanga/concerned court, in connection with Jamalpur P.S. Case No. 30 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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