

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70906 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- Patauna District- Madhubani

Dinesh Chaupal Son of Shatrudhan Choupal Resident of Village- Jafra Ram
Nagar, Bisfi (Patauna OP), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Patauna P.S. Case No. 35 of 2024 for the offence under Sections 341, 323, 324, 325, 307, 354, 379, 504/34 of the I.P.C.

3. As per the prosecution story, on 17.06.2024, at about 07:00 P.M informant went on his motorcycle from the outside of his house to take tea. In the meantime, the present petitioner along with other co-accused persons, armed variously with Lathi, Danda, Iron Rod and etc. came there and started abusing and assaulting the informant. On raising '*halla*' by the informant, his brother and wife came there to rescue him. It is further alleged that other accused persons started assaulting



them and one Mukesh Chaupal tried to outrage the modesty of informant's wife and snatched Ear ring, Mangal Sutra and Rs. 80,000/- cash from her possession.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence as alleged in the F.I.R. and he has been falsely been implicated in this case. As a matter of fact no such occurrence took place as alleged in the F.I.R. The prosecution story is malicious, mischievous, false and fabricated, absurd and improbable and there is no merit in the prosecution case. It is further submitted that the petitioner and the informant is 'gotiya' and due to dirty village politics, informant has lodged this false case against the petitioner and other accused persons. Lastly, he submitted that this case is a counter version. The father of the petitioner has lodged a case against the informant and others vide Patauna P.S. Case No. 32 of 2024 for offences under Section 341, 323, 307, 354B, 379, 504, 506/34.

5. Learned APP opposes the prayer for bail.

6. As per the F.I.R. there is allegation against the petitioner and other co-accused persons of assaulting the informant - Wakil Chaupal, his brother Tetar Chaupal and informant's wife – Sakhiya Devi by means of sharp cut weapon.



As per the F.I.R., petitioner - Dinesh Chaupal was armed with 'Shahat' at the time of alleged occurrence which is a sharp cutting weapon. In para 7 and 21 of the case diary witnesses have supported the prosecution story and alleged occurrence. The injury report of informant - Wakil Chaupal and Tetar Das has been attached with the case diary in which injury no. 1 of both the injureds have been found dangerous to life and other injuries are also found grievous in nature. Investigation is still going on. Keeping in view the aforesaid facts, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

7. Accordingly, the anticipatory bail application of the petitioner stands rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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