

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69150 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- GHANSHYAMPUR District- Darbhanga

1. Dev Dutt Chaupal Son of Late Laxman Chaupal Resident of Village - Kalyana, Police Station - Ghanshyampur, District - Darbhanga.
2. Mahadev Chaupal Son of Jageshwar Chaupal Resident of Village - Kalyana, Police Station - Ghanshyampur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-09-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehend their arrest in connection with Ghanshyampur P.S. Case no. 137 of 2025 registered under Sections 115(2), 126(2), 110, 74, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita (B.N.S.)-2023.

3. The allegation in the first information is that the petitioners along with others came variously armed and assaulted the informant, causing injuries.

4. Learned counsel for the petitioners submits that so far as petitioner no.1 is concerned, there is only a general and omnibus allegation against him with regard to assault, and



subsequently an ornamental allegation of outraging modesty has also been added. So far as the petitioner no.2 is concerned, no doubt there is an allegation of assault upon the head of the informant by means of a *Dabiya* on the informant, but the injury which has been shown corresponding to the same is simple in nature and that too caused by a hard and blunt object, which does not corroborate with the allegation of assault by *Dabiya*. It has also been submitted that the present FIR has been lodged after a delay of 22 days, inasmuch as the occurrence took place on 10.04.2025, while the FIR came to be lodged on 02.05.2025, and no explanation has been tendered for the same, much less a plausible one. Further, it has also been submitted that the petitioners and the informant side are *gotias* and have a dispute within the family. The petitioners undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering that the parties are related, coupled with the delay in the FIR and the nature of injury also being simple, let the above named petitioners who have no criminal antecedent, in the event of



their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Ghanshyampur P.S. Case no. 137 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Biraul, Darbhanga, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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