

**Court of District and Addl. Sessions Judge, Biraul(Darbhanga)**

**Present:- Sri Shiv Kumar,**

**Dist.&Addl. Sessions Judge, Biraul.**

**BP No. 67/2026(Santan Chaupal vs. State of Bihar**

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**In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga**

**BP No. 67 of 2026**

**In the matter of :-**

1. Santan Chaupal, Son of Jitan Chaupal

.....Petitioners.

**Vs.**

2. The State of Bihar .....Opposite Party.

**For the petitioners:-** Sri Jitendra Kumar Chaudhary, Ld. Advocate.

**For the O.P.(State):-** Sri Bachcha Rai, Ld. APP.

**Order**

**10.04.2026** The present bail petition has been filed on behalf of abovenamed petitioner who is in judicial custody since 21.02.2026, in conneciton with Biraul PS case No. 104 of 2026, for the offences U/Ss 329(3), 126(2), 115(2), 109(1), 3(5) of BNS, which is pending in the Court of Ld. ACJM, Biraul, Darbhanga.

Heard Sri Jitendra Kumar Chaudhary the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Maya Devi. The case of the prosecution as stated in application of informant in brief is that petitioner and his wife have assaulted son of informant with knife with intent to kill, due to which he got injured.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case. The petitioner has falsely been implicated in this false case due to quarrelling of children of informant and petitioner. The petitioner has no criminal antecedents. The petitioner is in judicial custody since 21.02.2026. The petitioner is ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

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On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Heard submissions made at bar and perused the case records of the present case. From perusal of the case records it appears that there is allegation upon petitioner that he and his wife assaulted son of informant with knife with intent to kill. Para 47 of the case diary mentions that petitioner does not have any criminal antecedents. The FIR in the present case has been lodged on 20.02.2026 but till date the injury report of injured has not been obtained by the IO/State. The case diary is completely silent about the injury report of injured. There is no medical evidence on record. The petitioner is in judicial custody since 21.02.2026 and after a laps of more one and half months of custody the police/State has not obtained the injury report which weakened the prosecution case at this stage. Therefore considering the facts and circumstances of the case in totality and the fact that petitioner is in judicial custody since 21.02.2025 as well as other facts and circumstances of the case bail petition of abovenamed petitioner is **allowed**. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each in connection with Biraul P.S. Case No. 104/26 to the satisfaction of the Ld. Court below subject to conditions as laid down u/s 480(3) of BNSS.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

10.04.2026