

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6650 of 2015

Arising Out of PS.Case No. -109 Year- 2014 Thana -KANHAULI District- SITAMARHI

- =====
1. Vinod Kapad S/o Mahesh Kapad
 2. Chhedi Kapad S/o Mahanth Kapad
 3. Sanjay Kapad
 4. Vijay Kapad Both Sons of Ram Pragash Kapad
 5. Ram Babu Kapad S/o Jageshwar Kapad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 26-02-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Kanhauli P.S. Case No. 109 of 2014 registered under Sections- 147, 148, 149, 341, 323, 324, 325, 307, 447, 354, 504/34 of the Indian Penal Code.

The accusation against the petitioners is that they assaulted the informant and several other persons by means of lethal weapons but submission on behalf of the petitioners is that a counter case i.e. Kanhauli P.S. Case No. 108 of 2014 was registered against the prosecution party of this case and in the

above said Kanhauli P.S. Case No. 108 of 2014, altogether 9 persons sustained injuries and out of which, some injuries were found grievous in nature. It is further contended by him that the accused persons of Kanhauli P.S. Case No. 108 of 2014 was granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 02-02-2015 passed in Cr. Misc. No. 4122 of 2015 taking note of this fact that there was case and counter case between the parties and persons from both sides, sustained injuries.

Taking into consideration the above-said facts and circumstances as well as submission of the parties, particularly, keeping in mind that accused of counter case having more or less similar allegation, have already been admitted to anticipatory bail by a coordinate bench of this court, the petitioners named-above, in the event of arrest or surrender in the court below within four weeks from today, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kanhauli P.S. Case No. 109 of 2014 to the satisfaction of Chief Judicial Magistrate, Sitamarhi subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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