

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.539 of 2016

Arising Out of PS.Case No. -244 Year- 2012 Thana -SALKHUA District- SAHARSA

1. Sudeep Kapari @ Sudeep Kapar @ Kapari son of Sushil Kapri, resident of Village- Raghunathpur, P.S.- Shahpur Kamal, District- Begusarai, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 363, 364, 302 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that 22 First Information Report named accused persons including the petitioner came variously armed, when co-accused Gorelal Ray shot dead and subsequently his dead body was taken away. It is alleged that other accused persons resorted to fire on informant.

It is submitted by the learned counsel for the petitioner that accusation of firing on the victim is not against the petitioner. The petitioner was simply member of mob and

others have been granted bail vide Cr. Misc. No. 29554 of 2013, 11007 of 2014, 13668 of 2014, 13418 of 2014, 23624 of 2014, 23587 of 2014. Though the petitioner is accused in one another case, in which he is on bail.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Salkhua P.S. Case No. 244 of 2012, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Considering the grievous nature of offence, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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