

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34802 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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1. Bashishtha Kapar, son of Late Wirthi Kapar
2. Randhir Kumar Kapar, Son of Bashistha Kapar, Both are resident of
Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 11-08-2017 Heard both sides.

The petitioners apprehend their arrest in Mohiuddin Nagar P.S. Case No. 63 of 2017 registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant made specific allegation that Birju Kapar repeatedly inflicted sickle blow. The petitioners are alleged to have assaulted the informant and his son with Lathi.

Learned counsel for the petitioners submits that the petitioners are co-sharer. They have falsely been implicated in the case on account of land dispute. No injury caused by hard and blunt object was found. The petitioner did not assault the



informant and his son with any lethal weapon. Sharp cut injury was found on the head of the informant which is alleged to have been caused by Birju Kapar. All the injuries are simple in nature.

Considering the facts aforesaid, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Samastipur in Mohiuddin Nagar P.S. Case No. 63 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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