

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22921 of 2019

Arising Out of PS. Case No.-468 Year-2018 Thana- AMARPUR District- Banka

1. NAKUL KAPRI S/o Kusho Kapri R/o village- Ghogha, P.S.- Amarpur, District- Banka
2. Gautam Kapri S/o Nakul Kapri R/o village- Ghogha, P.S.- Amarpur, District- Banka
3. Lila Devi W/o Nakul Kapri R/o village- Ghogha, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 385, 384, 341, 323, 506/34 IPC registered in connection with Amarpur P.S. Case No. 468/2018.

3. It is submitted that the petitioners have been falsely implicated and the petitioner no. 1 is a Government employee while petitioner nos. 2 and 3 are his son and wife, respectively. It is submitted that the accusations under Section 384 IPC are not made out as there is no delivery from the side of the informant and other penal Sections are bailable in nature. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Banka, in connection with Amarpur P.S. Case No.



468/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner nos. 1 and 2 shall remain physically present and petitioner no.3 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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