

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63113 of 2018

Arising Out of PS. Case No.-230 Year-2017 Thana- TAJPUR District- Samastipur

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1. Bala Lakendra Kapar @ Bala Kapar @ Bala Lakhindra Kapar Son of Ram Lagan Kapar
 2. Lalit Kapar @ Ram Sebak Kapar Son of Ram Lagan Kapar
 3. Ram Lagan Kapar Son of Pallu Kapar
 4. Vinod Kapar Son of Ram Jatan Kapar
 5. Kamal Deviya Devi @ Debia Devi Wife of Lalit Kapar All are resident of Village Gunai Bashi Morba P.S. Tajpur, District Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujit Kumar Singh

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 24-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 379, 325, 307, 504, 506/34 IPC registered in connection with Tajpur P.S. Case No. 230 of 2017.

3. It is submitted that the petitioners have been falsely implicated in retaliation of an earlier FIR being Tajpur P.S. Case No. 229 of 2017 instituted by the petitioner no. 5 who happens to be a lady. It is submitted that as evident from a perusal of the order of the learned Sessions Judge, the injury report available in para 17 of the case diary merely shows lacerated wounds with swelling and abrasion and thus simple in nature. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 ACJM Ist, Samastipur, in connection with Tajpur P.S. Case No. 230 of 2017, 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 shall remain physically present 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.

Chandran/-

(Vikash Jain, J)

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