

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22107 of 2020

Arising Out of PS. Case No.-538 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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HALDHAR KAPAR Son of Kashi Kapar Resident of Village - Bhuidhara
Dih, P.S.- Mufassil, Distt.- Samastipur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate.
For the State : Mr. Rajesh Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 24-02-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Samastipur (Mufassil) P.S. Case No.538 of 2019 registered
under Sections 447, 341, 323, 385, 387, 307, 379, 504 and
506/34 of the Indian Penal Code besides Section 27 of the Arms
Act and Section 37(c) of the Bihar Excise Act.

The accusation is that the petitioner Haldhar Kapar
along with Ajay Kumar alias Ajay Yadav and three unknown
came at Krishna Hospital, Adarshnagar, where the informant
Gaurikant Thakur was working as Compounder and started to
create nuisance at the gate having pistol in their hands. When
the informant made protest, then Ajay Kumar alias Ajay Yadav



asked about the doctor saying that ransom of Rs.50,000/-, as demanded, has not been given by the doctor. Thereafter, all started to cause assault to the informant through fists and slaps. When the informant made protest, then Ajay Kumar alias Ajay Yadav fired twice but, anyhow, the informant saved himself. Thereafter, all entered into the clinic and started to cause assault to the informant through fists and slaps again. In the meantime, other staffs of the clinic came there, then they were also abused and, at that time, due to fear, the informant gave cash of Rs.7500/- to the petitioner Haldhar Kapar, who also asked to give the remaining amount within one wee, otherwise doctor would be killed.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner Haldhar Kapar and the co-accused Ajay Kumar alias Ajay Yadav to grant them the privilege of bail was rejected by this Court vide order dated 10.01.2020 passed in Criminal Misc. No.85187 of 2019. The petitioner is in custody since 31.10.2019. While the petitioner is accused in six other cases, as detailed in paragraph-3 to this application but in all those cases, the petitioner is on bail, which would appear from paragraph-3 to the supplementary affidavit filed on behalf of the petitioner.



Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge (Excise Act), Samastipur, in connection with Mufassil P.S. Case No.538 of 2019. Out of the two sureties, one must be either parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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