

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11130 of 2023

Arising Out of PS. Case No.-91 Year-2020 Thana- SAHIYARA District- Sitamarhi

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VIJAY KAPAR @ VIJAY KUMAR S/O METHUR KAPAR Resident of
Village- Pataniya Kot, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 354, 307, 302 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the accused persons including the petitioner armed with various weapons are said to have reached at the door of informant and started abusing and assaulting to the informant as well as his family members due which they sustained injuries. During this incident, co-accused Ajay Kapar opened fire upon brother of informant's wife due to which he succumbed to injury. Thereafter this case



has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. As a matter of fact, a Title Suit is going on between the parties due to this reason the petitioner and his entire family members have dragged in this false and frivolous case. From perusal of FIR, specific allegation has been made against co-accused namely, Ajay Kapar who fired upon the deceased due to which he died. Moreover, similarly situated co-accused namely, Sanjay Kapar has already been granted bail by a co-ordinate Bench of this Court vide order 6.7.2021 passed in Cr. Misc. No. 6130 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 2.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sahiyara P.S. Case No. 91 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi.

(Sunil Kumar Panwar, J)

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