

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39773 of 2025

Arising Out of PS. Case No.-175 Year-2023 Thana- PHULPARAS District- Madhubani

1. Baleshwar Kapar S/o- Laxmi Kapar Vill- Bharhi PS- Phulparas Distt- Madhubani
 2. Vijay Kapar S/o- Kailu Kapar Vill- Bharhi PS- Phulparas Distt- Madhubani
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Phulparas P.S Case No. 175 of 2023 registered for the offences punishable under Sections 341, 323, 354, 504, 506/34 of Indian Penal Code.

3. As per the prosecution case, it is alleged that petitioners have taken money from the informant for registering the land in favour of the informant but neither he registered the land nor he returned informant's money.

4. Learned counsel for the petitioners submits that petitioners have been falsely been implicated in this case. It is next submitted that petitioners have got no criminal antecedent



as stated in para 3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order and materials available on record, it appears that offences under Section 354 of the I.P.C is not attracted at this stage.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioners, let the above named petitioners be released on bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court ACJM-II, Jhanjharpur, Madhubani in connection with Phulparas P.S Case No. 175 of 2023 subject to the condition laid down under Section 482 of BNSS.

8. The trial Court is directed to verify the criminal antecedent of the petitioner before accepting the bail bond. If trial Court finds no criminal antecedent against the petitioners then trial Court may confirm their bail bond otherwise reject the bail bond. Further, if the trial Court finds delay in the process of accepting the bail bond of the petitioner then the trial court may



provisionally accept the bail bond and verify the criminal antecedents of the petitioners within 30 days.

(Ramesh Chand Malviya, J)

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