

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55508 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Haldhar Kapar @ Pankaj Kapar @ Haldar Kapar S/o Late Kashi Kapar R/o
Village - Bhuidhara Dih, Sonbarsa Chowk, Musapur, P.O. and P.S. - Muffasil,
Dist. - Samastipur Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2025 Heard Mr. Santosh Kumar, learned counsel for the

petitioner as well as Mr. Arun Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.04.2025 in connection with Muffasil (Samastipur) P.S. Case
No. 18 of 2025, F.I.R. dated 10.01.2025 for the offences
punishable under Sections 126(2), 115(2), 109(2), 303(2), 3(5) of
the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case on the alleged date of
occurrence, the petitioner along with other co-accused persons
started vandalizing the house of the informant and upon objection,
they assaulted the informant and his family members by means of
rod, stick and brick. It is further alleged that one of the accused
persons fired gun shot on informant's brother but informant saved
him.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. As per allegation in the FIR, the petitioner has assaulted to the father of the informant and he has received injury but the injury inflicted upon the father of the informant is simple in nature and the similarly situated co-accused person, namely, Bhulthu @ Bhotu @ Mohit Kapar @ Mohit Kumar has been granted privilege of anticipatory bail by this Court vide order dated 08.05.2025 in Cr.Misc.No. 28844 of 2025 and other co-accused persons, namely, Shankar Kapar and Krishna Kapar @ Krishna Kumar Kapar has been granted privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 30.04.2025 in Cr.Misc.No. 23983 of 2025 and the police after investigation submitted chargesheet and petitioner is in custody since 11.04.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that the petitioner carries ten criminal antecedents other than the present one but fairly submits that the petitioner is on bail in the petitioner matters.

6. Considering the aforesaid facts and circumstances and period of custody of the petitioner, let the petitioner, above



named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge V-cum-A.C.J.M II, Samastipur in connection with Muffasil (Samastipur) P.S. Case No. 18 of 2025,, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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