

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29259 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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Deepak Kumar @ Chippu, son of Hare Krishna Singh, Resident of Village-
Ramdiri, Nakti tola, Choudhary Patti, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in jail custody since
22.12.2015 in connection with Matihani P.S. Case No. 174 of
2015 registered for the offences punishable under Sections 25(1-
b)a, 26 of the Arms Act.

The prosecution case, in brief, is that on 21.12.2015
informant received confidential information that one person
having pistol in his hand is moving in Nakti Tola Choudhary Patti
for committing offence. On receiving the informant, informant
reached the place of occurrence and on seeing the police one
person started fleeing away, but the police apprehended him, who
disclosed his name as Deepak Kumar @ Chippu. On search, one

country made loaded pistol was recovered from him. Police thereafter prepared seizure list in accordance with law.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has falsely been implicated in the aforesaid case due to village politics and because he is in inimical terms with co-villager Shambhu Singh. It has further been submitted that an informatory petition has been filed earlier by the petitioner against co-villager Shambhu Singh, who is a powerful man of the village and, as such, at his instance petitioner has been falsely implicated. He further submits that petitioner has been made accused in a number of cases due to his being inimical with the said co-villager Shambhu Singh. He further submits that the charge sheet has already been submitted against the petitioner, hence, there is no chance of tampering with the witnesses.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report and has criminal antecedent, hence, opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Pusphendra Kumar Pandey, learned Judicial Magistrate 1st Class, Begusarai in connection with Matihani P.S.

Case No. 174 of 2015, subject to the condition that petitioner will appear before the learned Court below as and when required and his failure to appear before the learned Court below on two consecutive dates without there being any reasonable cause, would entail the consequences of cancellation of his bail bonds without being prejudiced by this order.

(Nilu Agrawal, J.)

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