

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44022 of 2017

Arising Out of PS.Case No. -255 Year- 2017 Thana -GARDANIBAGH District- PATNA

=====

Deepak Kumar, Son of Umesh Prasad, Resident of Mohalla- Yarpur,
Shivajee Path, Yogia Tola, Police Station- Gardanibagh, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
Mr. Manish Kumar No. 2, Adv.

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

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Gardanibagh
P.S. Case No. 255 of 2017 for offences punishable under Sections
414 of the Indian Penal Code and Section 25 (a-b) a/26/35 of the
Arms Act.

The prosecution case, as lodged by the police
personnel, is that on information that some miscreants have
assembled to commit chain snatching, the police apprehended
three persons including the petitioner and from the possession of
the petitioner three live cartridges were recovered and from the
possession of another co-accused Dipak Kumar son of Devanand



Choudhary one loaded country made pistol was recovered. The petitioner along with other co-accused persons could not produce the papers regarding the motorcycle and were trying to flee away. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. In fact he is a student and has been sufficiently punished. He submits that the motorcycle belonged to his father and is not a stolen one as is evident from the insurance policy which is Annexure-2 and he is in judicial custody since 13.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XIV-Cum-Additional Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S. Case No. 255 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of



the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

