

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31931 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Deepak Kumar @ Cheppu @ Chippu Son of Hare Krishna Singh Resident of village - Ramdiri, Nakti Tola, Ward No. 8, Choudhary Patti, P.S. - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP - 203

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 25-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner is languishing in jail since 20.02.2018 in connection with Town P.S. Case No. 79 of 2018 registered under Sections 302, 34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that though he is not named in the FIR, petitioner's name has come in the confessional statement made before police by Rajnish Kumar and Sanjeev Kumar Singh who have stated that the petitioner was supplier of arms, which led to murder. Under such circumstances the petitioner is facing prosecution. He further submits that in any view of the matter, the confessional statement made before the police has no evidentiary value and



even in the confessional statement, made, allegation is against one Abhishek Raj and not the present petitioner. Be that as it may, the petitioner should be enlarged on bail on the terms and conditions of this Court.

Considering the aforementioned facts and circumstances and that the petitioner has been named in confessional statement and there is no cogent material in the case dairy, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Town P.S. Case No. 79 of 2018 to the satisfaction of the Chief Judicial Magistrate, Begusarai on the following conditions.

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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