

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24316 of 2019**

Arising Out of PS. Case No.-642 Year-2018 Thana- SHASTRINAGAR
District- Patna

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DEEPAK KUMAR SINGH @ PRINCE SINGH, aged about 32 years, male, Son
of Sri Kaushal Kishore Singh, Resident of Rudra Apartment, 1st Floor,
Lekha Nagar, Danapur, P.S.-Danapur, District-Patna.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mrs.Babita Kumari Mr. Ajay Kumar Thakur, Advocates.
For the Informant	:	Mr. Sanjay Kumar Tiwary, Advocate.
For the State	:	Mr. Arbind Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 22-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 386, 387, 506, 509, 323 of the Indian
Penal Code registered in connection with Shastrinagar P.S. Case
No. 642 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of a proposed business arrangement
for developing a departmental store by the informant's family
and the petitioner's wife, Karishma Devi and for which she had
paid an amount of Rs. 2,00,000/- on 07.09.2018 out of her Bank
account (page-30). Due to a dispute which arose in that regard,



she filed a F.I.R. vide Danapur P.S. Case No. 876 of 2018 (Annexure-2) against the informant and others. The present F.I.R. has been filed in retaliation thereof. It is further submitted that in any event even on a perusal of the F.I.R. the ingredients of the offence under Section 386 and 387 IPC are not made out. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. Learned APP has not pointed out any objective material in the case diary against the petitioner.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna in connection with Shastrinagar P.S. Case No. 642 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate 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.

(iv) That 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 reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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