

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25666 of 2019

Arising Out of PS. Case No.-1200 Year-2018 Thana- BIHTA District- Patna

DEEPAK RAM @ DEEPAK RAJ, aged 20 years, Male, Son of Mahesh Ram,
Resident of Village-Bakhariya, P.S-Ara District-Bhojpur At present Resident
of Muhalla-Shiv Shakti Nagar, Samasthu Sthan, Mushahari, P.S-Bihita,
District-Patna ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 23-04-2019

Heard the learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Bihta P.S. Case
No. 1200 of 2018 for the offences alleged under Sections 457, 380, 511
and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
while he was sleeping in his house, he heard some noise on the terrace
and when he along with his brother and mother went to search, he
found three persons who had jumped from the terrace, but, were
apprehended, petitioner being one of them. It is, further, alleged that
ten days back a theft was committed in the house of the informant for
which Bihta P.S. Case No. 1157 of 2018 has been lodged and it is
alleged that the petitioner along with his two associates must have
committed the said theft.

It has been submitted by the learned counsel for the petitioner
that he is innocent, bears no criminal antecedent and has been falsely
implicated in the aforesaid case. He submits that he is languishing in
judicial custody since 22.10.2018, charge sheet having been submitted



and two of the co-accused, who were along with the petitioner, have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 6128 of 2019, dated 05.02.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that charge sheet has been submitted coupled with the fact that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, 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 Bihta P.S. Case No. 1200 of 2018 to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Danapur, Patna, or the successor Court, subject to the condition that 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.

(Nilu Agrawal, J)

Shamshad/-

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