

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8869 of 2020

Arising Out of PS. Case No.-924 Year-2019 Thana- BIHTA District- Patna

DEEPAK @ DEEPAK KUMAR S/o- Rajnandan Sharma R/o- Village-
Mathiapar (Radhe Charan Ka Math), P.O. and P.S.- Neora, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shiva Shankar Prasad Singh
For the Opposite Party/s :	Mrs. Anita Kumari Singh
	Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bihta P.S. Case No. 924 of 2019 for the offence registered under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The case of the prosecution in brief is that on 15.10.2019 at about 4:30 A.M. while the informant was feeding his cow, the petitioner came at his residence, along with three other persons



with a country made rifle and kept the said rifle in the hut of the informant whereafter in the evening at about 4:30 P.M. on the same day when the informant was returning to his home, the petitioner and other three unknown persons had a scuffle with the informant and the informant was also assaulted.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that there is no injury report on record of the case diary to suggest any complicity of the petitioner in the alleged crime.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record as also the case diary and I find that there is no injury report on record so as to corroborate the allegation levelled by the informant and moreover the petitioner is having a clean antecedent, hence I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Danapur, Patna in connection with Bihta P.S. Case No. 924 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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