

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18174 of 2020

Arising Out of PS. Case No.-212 Year-2019 Thana- KARPI District- Jehanabad

DEEPU KUMAR @ DEEPU S/o Awadh Sharma @ Awadesh sharma R/o
village- Shiv Nagar, P.S.- Karpi, Distt.- Arwal

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-06-2020

The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in Karpi PS Case No. 212 of 2019 registered under Section 307, 393, 324 of the IPC and Section 27 Arms Act.

The case of the prosecution is that while returning after watching a drama at the village, the informant alleges that three persons stopped his motorcycle in which he was travelling with an intention to snatch the motorcycle. One of the accused fired from his pistol injuring his left hand, whereupon the miscreants have fled away. The informant in the FIR claims to have identified one Gautam Kumar out of the three persons.

Learned Counsel for the petitioner submits that he



has not been named in the FIR. There is no specific allegation of causing the fire arm injury against the petitioner. Till date the petitioner has not been put on T.I. Parade. The petitioner is in custody since 10.12.2019. The petitioner is already on bail in Karpi PS Case No. 59 of 2016 in which he was arrested earlier.

Learned APP has opposed the prayer for bail. It is submitted that from the order of rejection dated 18.2.2020 passed by the court below it is apparent that the petitioner was also present at the time of occurrence and he has got criminal history.

Considering the rival submissions this Court is inclined to allow the prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Arwal in Karpi PS Case No. 212 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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