

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21838 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- SIMRI District- Buxar

Deepak Kumar Yadav, Male, aged about 20 years, Son of Jag Narayan Yadav
@ Jag Narayan Singh Resident of Village - Chakki Jaypal Dera, P.S. -
Barahampur, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 15-10-2020 Heard Mr. Mohit Srivastava, learned counsel for the
petitioner and Mr. Umesh Lal Verma, counsel for the State.

In this case, the petitioner is seeking bail in connection with Simari P.S. Case No. 30 of 2020 (G.R. No. 294 of 2020) registered for offences under sections 399, 402, 414 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act.

As per allegation, the police, on receipt of secret information, reached at the place of occurrence. On seeing the police, all the five miscreants, on two motorcycles, attempted to fly away from there but, the police caught three of them including the present petitioner and two persons escaped. On search, the police recovered one live cartridge and a country



made pistol from the possession of the petitioner.

The petitioner has got no criminal antecedent as has been stated in paragraph no.3 of this bail petition.

Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 7.2.2020.

Looking to the period of custody as also considering the entire facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 4th, Buxar in connection with Simari P.S. Case No. 30 of 2020 (G.R. No. 294 of 2020), subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Simari police station by 7th of every month for at least six months and in case



of failure without any valid rhyme or reason, the bail of the
petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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