

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26637 of 2020

Arising Out of PS. Case No.-266 Year-2018 Thana- CIVIL LINE District- Gaya

DEEPAK KUMAR Son of Bigan Prasad @ Buchhan Prasad Resident of
Village - Purani Godam, P.S.- Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Civil Lines P.S. Case No.
266 of 2018, registered for the offence punishable under Section
394 of the Indian Penal Code. Later on, section 414 of the IPC
has been added.

As per prosecution case, on 23.07.2018 at about 2.00
pm, while the informant was going to Nagmatiya on his scooty
to meet his friend, three unknown miscreants came and on the
point of pistol snatched his scooty and fired upon him which
caused injury to him.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused Md. Gazini. No incriminating article or looted article has been recovered from possession of this petitioner. No test identification parade has been held till date. Charge sheet has already been submitted. Two more cases are against this petitioner in which he is on bail. Petitioner is in custody since 05.12.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Civil Lines P.S. Case No. 266 of 2018, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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