

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27294 of 2020**

Arising Out of PS. Case No.-363 Year-2019 Thana- GOGRI District- Khagaria

DEEPAK YADAV S/O Narad Yadav Resident of Village - Araria, P.S. -
Parbatta (Maraiya), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Ms.Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 20-10-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed out by Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Meena Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Gogari P.S. Case No.363/2019, G.R.No.3115/2019 registered for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has been implicated on the basis of CCTV footage but has not been put on T.I. Parade. It is also submitted that he is in custody since 10.01.2020.

Learned APP for the State has pointed out from the



impugned order that in course of investigation several materials have come against the petitioner. The learned Additional Sessions Judge-IIIrd, Khagaria has noticed certain paragraphs of the case diary and what is most important is that it has been noticed that at page no.22 in the case diary police has attached seizure list in which the DVD of CCTV footage of the accused are enclosed, the petitioner has been seen both on the bike while committing robbery as well as doing raiki and even the mobile number and the location of said mobile of the petitioner has been checked and it has been found that though the said mobile was in frequent use it was switched off for few hours at the time of incident which makes it further doubtful. The learned court below has also recorded that the petitioner has got two criminal antecedents, one under Section 304B of I.P.C. and one under Section 302 of I.P.C.. Taking note of these antecedents also the learned court below has rejected the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, the materials which have been brought to the notice of this Court as mentioned in the order passed by learned Additional Sessions Judge-IIIrd, Khagaria showing that in the CCTV footage the petitioner has been identified while participating in robbery and he has two criminal antecedents of serious nature, the robbery was done while the informant was going to deposit cash in the bank, this Court is not inclined to grant privilege of regular bail to the petitioner at this stage. The prayer for regular bail is, thus, refused.



Let the trial be expedited.

The learned trial court is directed to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

