

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23176 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- DEWARIA District- Muzaffarpur

Deepak Kumar Son of Dhanai Sah R/O- Deoriya Kothi Mehndiganj, P.S.-
Deoriya, District- Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party : Mr. Akbar Ali, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the offence punishable under section 399 and other ancillary sections of the Indian Penal Code as well as under the Arms Act.

Prosecution's case, in brief, is that the police on some clue, intercepted a group of criminals and arrested some of them including the petitioner, whereas others managed to escape. From the petitioner, a loaded country made pistol is said to have recovered.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as the recovery is planted by the police itself. Petitioner has got no criminal antecedent and he is in custody since 5.2.2020 and Charge sheet has also been filed in the case, as such, there is no



chance of tampering with the evidence.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Judicial Magistrate 1st class, Muzaffarpur in Deoriya Police Station Case No. 14/2020, on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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