

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23634 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- TEGHRHA District- Begusarai

DEEPAK KUMAR Son of Ram Pravesh Das @ Ram Pravesh Tanti @ Pram
Pravesh Das Resident of Village- Danialpur, Ward No.4, P.S.- Teghra, Dist-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-11-2020 Heard Mr. Sandip Kumar Gautam, learned counsel for

the petitioner and Mr. Anand Kishore Choudhary, learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with Teghra
P.S. Case No. 52 of 2020 registered for the offence punishable
under Section 412 of the Indian Penal Code 1860, Sections 25
(1-b)a and 26 of the Arms Act.

The allegation as per the First Information Report is
that on N.H. 28, some miscreants robbed Rs.4,90,000/- from
two persons. Consequently, on the basis of Mobile Phone used
for commission of the crime, a raid was conducted and the
petitioner was arrested from his house. The petitioner was



interrogated and he accepted his complicity in the alleged robbery. It has further been alleged that from house of the petitioner, one loaded country made pistol and one live cartridge along with Rs. 50,000/- cash was recovered. The petitioner confessed this fact that he received Rs.50,000/- as his share in the looted amount. The petitioner also disclosed the name of co-accused Krishna Kumar as one of his accomplices. Thereafter, the Police raided the house of Krishna Kumar on the basis of confessional statement of the petitioner and, recovered a sum of Rs.1,50,000/- cash, a country made pistol, one live cartridge and one Passion Pro Motorcycle.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive by the Police. Learned counsel further submits that similarly situated co-accused Krishna Kumar @ Kunal has been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc.23889 of 2020. Learned counsel also submits that no Test Identification Parade has been held by the Police and the petitioner has not been identified as yet.

On the other hand, learned counsel for the State submits that the petitioner was arrested with the looted amount



and firearms and confession of the petitioner, led recovery of the looted amount from possession of another co-accused also and as such, the case of the petitioner is distinguishable from the case of co-accused Krishna Kumar, who has been granted bail by a co-ordinate Bench of this Court.

Having heard learned counsel for the parties and taking into consideration the materials on record I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after six months if the trial does not show any progress.

(Anil Kumar Sinha, J)

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