

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32299 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

DEEPAK KUMAR @ MIKAL S/o Late Shivchandra Singh @ Chote Singh
R/o village- Bishanpur, P.S.- Begusarai Mufassil, District- Begusarai
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Kishore Kumar Thakur, Advocate
For the Opposite Party : Mr. Binod Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-12-2020 Heard Mr. Kishore Kumar Thakur, learned counsel
appearing on behalf of the petitioners and Mr. Binod Kumar
No.2, learned Additional Public Prosecutor, for the State of
Bihar.

This application for grant of regular bail arises out of
Begusarai Sadar P.S. Case No. 61 of 2020, registered for the
offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The First Information Report was registered against
unknown. In course of investigation, the petitioner's name has
emerged as one of the miscreants who had actively participated
in commission of the offence on the basis of confessional
statement of a co-accused, who was arrested in Begusarai
Muffasil P.S. Case No. 79 of 2020.



It transpires from the record that the petitioner also confessed his involvement in commission of the offence and on the basis of disclosure made by the petitioner before the police, the firearm, which was used in commission of the offence, was recovered by the police.

From the statement made in paragraph 3 of the application it appears that the petitioner has criminal antecedent inasmuch as he has been implicated in following cases : -

“I. Begusarai Town P.S. Case No. 120 of 2015, registered for the offences under Section 399, 402, 307 of I.P.C. and Section 25(1-B), 26 and 35 of the Act.

II. Begusarai Muffasil P.S. Case No. 193 of 2016, registered for the offences under Section 341, 323, 307, 504/34 of I.P.C..

III. Begusarai Muffasil P.S. Case No. 234 of 2016, registered for the offences under Section 25(1-B)/A/25, 53(B) Excise Act.

IV. Begusarai Town P.S. Case No. 246 of 2017, registered for the offences under Section 341, 323, 386, 387 120(B), 504, 307/34 of I.P.C..

V. Begusarai Town P.S. Case No. 293 of 2018, registered for the offences under Section 307/34 of I.P.C. and Section 27 of Arms Act.

VI. Begusarai Mufassil P.S. Case No. 79 of 2020, registered for the offences under Section 25(1-B)a, 24 and 35 of Arms Act.”

Considering the petitioner’s criminal background and the gravity of the offence, coupled with the incriminating



material available against him, I am not inclined to grant him privilege of regular bail for the present.

This application is accordingly dismissed.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.



Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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