

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72357 of 2019

Arising Out of PS. Case No.-344 Year-2019 Thana- KESARIA District- East Champaran

Deepak Kumar, Son of Shambhu Bhagat, Resident of Village - Morhar, P.S.-
Sahebganj, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kesariya P.S. Case No. 344 of 2019 registered for the offences punishable under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner is not named in the FIR, but in course of investigation his name has been involved in this case on the statement of a spy.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case,



wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the F.I.R. but in course of investigation his name has been involved in this case on the statement said to have been made by a spy but the co-accused Guddu Kumar from whose house the motorcycle in question has been recovered has been granted regular bail by the learned court below itself and further submission that the petitioner has not been put on T.I.P. nor the alleged looted money bag and demand bill of seven pages said to have been recovered from the house of the petitioner has been put on identification till date, the case being triable by learned Magistrate and the petitioner having been remained in custody over six months, let the petitioner above named be released on bail in connection with Kesariya P.S. Case No. 344 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, East Champaran at Motihari, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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