

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84096 of 2019

Arising Out of PS. Case No.-370 Year-2018 Thana- SAHPUR District- Patna

DEEPAK DEV Son of Gopal Prasad Resident of Laxmichak, P.S.- Shahpur,
District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 17-03-2020 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 22.10.2019 in connection with Shahpur P.S. Case No. 370 of 2018 for the alleged offences under Sections 376, 511, 509, 379 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the FIR. In any event the allegations in the FIR do not constitute the offence under Section 376 of the Indian Penal Code, which has been added merely to add gravity to the occurrence. It is submitted that there is no material to indicate that the mobile phone is said to have been snatched from the informant or recovered from the petitioner, who claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM Ist, Danapur in connection with Shahpur P.S. Case No. 370 of 2018 on the following conditions:-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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