

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11756 of 2021**

Arising Out of PS. Case No.-867 Year-2019 Thana- KANKARBAG District- Patna

DEEPAK KUMAR SON OF SURESH SAHANI R/o Mohalla- Alamganj  
Chowki, Gosai Ghat, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rudra Deo, Adv.

For the Opposite Party/s : Mr.Dilip Kr. No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      29-07-2021      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kankarbag P.S. Case No.867/2019 registered for the offence punishable under Sections 379/356 of the Indian Penal Code.

The prosecution case in short is that while the informant was going to grocery shop, two persons seated on a bike, followed her and snatched her gold chain and fled away.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has no concern with the alleged occurrence. He has been falsely implicated in this case. He is not named in the FIR nor apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. It is further submitted that petitioner has been made accused in this case on the basis of confessional statement of co-accused Sajan Dom and because of his previous antecedent. The petitioner has given confession before the police under threat. Till date no T.I. Parade has been conducted and the charge sheet has been submitted against the petitioner. He has two criminal antecedent and has been languishing in custody since 25.11.2019.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna in connection with Kankarbag P.S. Case No.867 of 2019, subject to the following conditions:

- (1) One of the bailors will be own close relative of the



petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

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

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

**(Anjani Kumar Sharan, J)**

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