

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16485 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- BASOPATTI District- Madhubani

Deepak Kumar, aged about 25 years male, Son of Satya Narayan Ram
Resident of Village- Amlatoli Rajnagar, P.S. - Rajnagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav with Ravi Prakash, Advts
For the Opposite Party/s : Mr. Gulnar Begum APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Basopatti PS Case No. 178
of 2020, instituted for the offence under Sections 302 and
504/34 of the Indian Penal Code and Section 27 of the Arms
Act.

While the informant has gone to attend the call of nature
some unknown person have fired upon his father. The informant
has named Ajeet Das and other accused persons are not named.



It is submitted by the petitioner's counsel that in investigation petitioner's name has been stated by co-accused Sameer Kumar Singh @ Sameer Singh. Even in his confessional statement, he has not stated any specific role of the petitioner in killing, which has been attributed to co-accused, namely Ajeet Das. The petitioner has no concern with Ajeet Das. His implication is based on suspicion and co-accused Sameer Kumar Singh @ Sameer Singh, who has stated the petitioner's name in his confessional statement, has been allowed bail by the learned Court below vide Annexure-2 to the bail petition. It is stated that the petitioner has no criminal antecedents and he is in custody since 04.08.2020.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani, in connection with



Basopatti PS Case No. 178 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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