

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31324 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- KHODAWANDPUR District- Begusarai

DEEPAK KUMAR SON OF LATE NEPALI YADAV @ HARI YADAV R/O
VILLAGE- MANGAL GARH, P.S.- HASANPUR, DISTRICT-
SAMASTIPUR.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Khodawandpur P.S. Case No. 229 of 2020, G.R. No. 334 of 2020 registered for the offences punishable under Section 392 of the IPC.

According to prosecution case, on 13.11.2020 the informant along with four persons boarded in his pickup van were going to bring banana. Meanwhile, four persons came from Scorpio vehicle and stopped his pickup van and started assaulting them with fist and leg. The accused persons took



away pickup van of the informant.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation in confessional statement of co-accused Vikash Kumar @ Ballu Rai. No incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that co-accused Manish Kumar Malakar @ Manish Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 15.11.2021 passed in Cr. Misc. No. 45760 of 2021. Petitioner is in custody since 20.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Sub-divisional Judicial Magistrate, Manjhaul in connection with Khodawandpur P.S. Case No. 229 of 2020, G.R. No. 334 of 2020, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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