

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35547 of 2021

Arising Out of PS. Case No.-381 Year-2020 Thana- PARBATTa District- Khagaria

DEEPAK KUMAR Son of Babulal Hazari @ Babulal Mishra, Resident of
Village - Dumaria Bujurg, P.S. - Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Parbatta
P.S. Case No. 381/2020 instituted for the offences under
Sections 147, 148, 149, 341, 323, 307, 386, 504, 506 of the
Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that
the petitioner is in custody since 08.02.2021, charge-sheet has
been submitted in this case.

Learned counsel for the petitioner further submits that
from perusal of the allegation as alleged in the FIR, it would
manifest that accused Rajesh Chaudhary alongwith nine named
and some unknown persons arrived at the door of the informant
and demanded extortion money of Rs.2 lakhs from the



informant. On denial of the informant on 08.10.2020 at about 7.30 pm they came to the house of the informant alongwith other accused persons and abused the father of the informant and sought information about the informant from him. While the informant was returning to his house all accused persons surrounded the informant with intention to kill him. Co-accused, namely, Chhotu Kumar dragged the informant and assaulted with lathi, danda rod and other weapons. The Rajesh Chaudhary fired at the informant due to that informant got bullet injury on his right hand and became unconscious. On hearing the sound of firing villagers arrived then accused persons fled away from there and the informant was brought to the Parbatta, Hospital for treatment from there he was referred to Bhagalpur for better treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is nothing specific allegation against the petitioner, he is not attributed with any overtact and he is simply a member of mob.

Learned APP for the State opposes the bail application.

Considering the facts aforesaid, the petitioner, above



named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Khagaria, in connection with Parbatta P.S. Case No. 381/2020; with a condition that one of the bailor shall be the father of the petitioner and the petitioner will have to mark his attendance in the concerned police station in between 25-30th of every month commencing from December, 2021 till the charges are not framed in the case in the event, if the concerned police station reports to the learned Court below that the petitioner has not marked his attendance on any of the dates in between 25-30th of any of the month before framing of the charge, the learned Court below will be at liberty to cancel his bail bonds.

Accordingly, this application stands allowed.

(Satyavrat Verma, J)

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