

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2042 of 2020

Arising Out of PS. Case No.-1 Year-2019 Thana- KHODAWANDPUR District- Begusarai

DEEPAK KAMTI @ DEEPAK MAHTO Son of - Mukesh Kumar @ Mukesh
Kamti Resident of -Ward No. 02, Sakrauli, Meghaul, P.S. - Cheiryabariyarpur,
District - Begusarai.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pritish Kumar Lal, Advocate
For the Respondent/s : Mrs. Usha Kumari, Special P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2021 Heard the learned counsel appearing for the appellant and
Mrs. Usha Kumari, learned A.P.P. for the State.

The appellant seeks regular bail in connection with
Khowawandpur P.S. Case No. 01 of 2019 for the offence
punishable under Sections 302 and 34 of the Indian Penal Code
and Section 27 of the Arms Act.

The case of the prosecution is regarding the unknown
miscreants having shot at the son of the informant resulting in
his death.

The learned counsel for the appellant has submitted that
the appellant is innocent, he has been falsely implicated in the
present case and he is having a clean antecedent. It is further
submitted that the appellant is languishing in custody since



26.11.2019. Lastly, the learned counsel for the appellant has submitted that the appellant has not been named in the FIR and his name has transpired in the present case on account of the confessional statement made by the co-accused person namely Rohit Kumar and the fact is that the said Rohit Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 17.03.2020 passed in Criminal Misc. No. 80328 of 2019.

Per contra, Mrs. Usha Kumari, the learned Special P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the appellant and taking into account the parity of the case of the appellant with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the appellant on regular bail.

Accordingly, the appellant, above named, is directed to 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 learned Special Judge, The Scheduled Caste & The Scheduled Tribes (Prevention of Atrocities) Act, 1989



Begusarai in connection with Khodawandpur P.S. Case No. 01
of 2019 (G.R. No. 02 of 2019).

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

