

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37305 of 2020**

Arising Out of PS. Case No.-157 Year-2019 Thana- ADAPUR District- East Champaran

DEEPAK BAITHA Son of Birendra Baitha Resident of Village - Kuriya, P.S.-
Pipra, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 03-02-2021 Heard the learned counsel for the petitioner and

Sri Bharat Lal, the learned APP for the State.

The petitioner seeks regular bail in connection with Adapur PS case no. 157 of 2019 instituted for the offences punishable under Sections 395/397 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding unknown miscreants having committed dacoity in the shop of the informant, whereafter they are stated to have looted a cash amount of Rs. 6 lacs from the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 26.07.2019. The learned counsel for the petitioner has



further submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any looted cash amount has been recovered from the possession of the petitioner. It is further submitted that as far as the petitioner is concerned, his name has transpired in the confessional statement made by the co-accused persons. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 25.10.2019 passed in Cr. Misc. no. 65051 of 2019, order dated 11.12.2019 passed in Cr. Misc. no. 72445 of 2019 and the order dated 16.01.2021 passed in Cr. Misc. no. 1277 of 2020.

Per contra, the learned A.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 parties and taking into account the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to enlarge the abovenamed petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Sub Divisional Judicial Magistrate, Raxaul at Motihari
in connection with Adapur PS case no. 157 of 2019.

(Mohit Kumar Shah, J)

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