

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1412 of 2021

Arising Out of PS. Case No.-319 Year-2020 Thana- MAHUA District- Vaishali

DEEPAK KUMAR @ GAURAV son of Upendra Ram Resident of Village-
Daudpur, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399 & 402 of the Indian Penal Code and Section 25 (1-b)a/26/35 of the Arms Act.

As per the prosecution case, when the informant along with the police party reached in mango orchard of one Janak Rai of village Madhopur where some miscreants were sitting and planning for committing crime, after seeing the



police party some of them managed to escape while two persons including the petitioner was apprehended and on search country made pistol with live cartridge was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case by the police while he was going through the place of occurrence. No incriminating article has been recovered from his conscious physical possession. The alleged recovery shown by the police has been planted by the police. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The fact of the matter is that the petitioner was arrested from Alok Hospital, Mahua wherein his mother was admitted for the treatment and the police falsely implicated the petitioner on a concocted story. The petitioner has been languishing in custody since 11.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Vaishali at Hajipur in connection with
Mahua P.S. Case No.319 of 2020.

(Anjani Kumar Sharan, J)

Trivedi/-

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

