

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4547 of 2021

Arising Out of PS. Case No.-222 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Deepak Kumar, Son of Naulesh Yadav @ Awadhesh Prasad, Resident of
Village- Sigranepur, P.S.- Dhanarua, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 19-07-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Makhdumpur (Mukhdumpur) P.S. Case No.222 of 2018
registered for the offence punishable under Section 395 of the
I.P.C.

There is an allegation that several accused persons
have overtaken the *Breeza* vehicle of the informant and they



have assaulted the informant and his nephew and decamped with Rs.45,000/- to Rs.46,000/- along with some other documents.

It is submitted that at least in the instant case, even as per the statement of co-accused, which has come in course of investigation, at best the petitioner has helped in sale of jewellery looted in course of various similar incidents by the petitioner along with other co-accused. It is further submitted that within a week, the petitioner has been made accused in four other cases as per details contained in paragraph 3 of the bail application. His implication in the instant case is solely on the statement of co-accused Baiju Kumar alias Chapa. There is no recovery of any incriminating material from the petitioner. He is stated to be in custody since 04.11.2019.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 C.J.M., Jehanabad, in connection with



Makhdumpur (Mukhdumpur) P.S. Case No.222 of 2018, subject
to the following conditions:

(i) That one of the bailors will
be a close relative of the petitioner who
will give an affidavit giving genealogy as
to how he is related with the petitioner.
The bailor will also undertake to inform
the court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be
well represented on each date and if he
fails to do so on two consecutive dates,
his bail bond will be liable to be
cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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