

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7450 of 2021

Arising Out of PS. Case No.-101 Year-2019 Thana- DARPA District- East Champaran

DEEPAK PRASAD @ DEEPAK KUMAR SON OF UMESH PRASAD R/O
VILLAGE- PIPRA, P.S.- DARPA, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. N. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Darpa P.S.
Case No. 101 of 2019 registered under Sections 342, 114, **302**,
504/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is of firing upon the
informant's husband as a result of which, the informant's
husband succumbed to the injuries.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. Both the parties are agnates. Due to previous dispute, the name of the petitioner has transpired in the present case. The allegation made in the FIR is denied by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The informant is an eye witness to the alleged occurrence and there is direct allegation of firing upon the deceased against the petitioner, which led to the death of the deceased. The petitioner is one of the assailants.

Considering the aforesaid facts and circumstances of the case, the prayer for anticipatory bail of the petitioner in connection with Darpa P.S. Case No. 101 of 2019 is rejected.

However, if the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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