

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.19269 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- BARURAJ District- Muzaffarpur

DEEPAK PATEL @ DEEPAK KUMAR Son of Shankar Patel @ Rai @  
Shankar Rai Village - Chowkiya, P.S. - Baruraj, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
ORAL ORDER

6      17-01-2022                      Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

The petitioner, who is in custody since 10.12.2020,  
seeks regular bail in connection with Baruraj P.S. Case No. 214  
of 2020, for the offence punishable under Section 414 of the  
Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms  
Act.

The prosecution case, in brief, is that in course of  
patrolling duty, the informant along with other Police personnel  
received secret information that petitioner along with other  
persons named in the F.I.R. have assembled for committing  
crime. The petitioner along with other co-accused were arrested  
on the spot and on search, one loaded country made pistol and



live cartridges as well as mobile and one allegedly stolen motorcycle recovered.

Learned counsel appearing on behalf of the petitioner submits that so far as motorcycle is concerned, the same belongs to the petitioner and he has been made accused on frivolous ground. There is no previous criminal antecedent against the petitioner and he is in custody since 10.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case and the fact that the said motorcycle belongs to the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur in connection with Baruraj P.S. Case No. 214 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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