

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23554 of 2021

Arising Out of PS. Case No.-53 Year-2019 Thana- NAYAGAON District- Begusarai

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RUPAK KUMAR DEEPAK @ KARE SINGH Son of Ram Pravesh Singh
Resident of Village - Singhpur, P.s.- Nayagaon, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Nayagaon P.S. Case No. 53 of 2019 registered for the offence under Sections 341, 323, 504, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant is said to have been assaulted by the petitioner and his associates by lathi, danda and pistol. It is also alleged that petitioner fired upon the informant resultantly he sustained gun shot injury.



Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner happens to be nephew of the informant and there is land dispute between the parties on account of which, the petitioner has been implicated in this case. He further submits that the police after investigation has submitted charge-sheet against the petitioner. Moreover, the co-accused, namely, Ram Pravesh Singh @ Ram Prabesh Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 21.09.2020 passed in Cr. Misc. No. 20571 of 2020. The petitioner is rotting in judicial custody since 11.12.2019.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Judicial Magistrate-1st Class, Begusarai in connection with Nayagaon P.S. Case No. 53 of 2019 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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