

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16707 of 2022

Arising Out of PS. Case No.-688 Year-2020 Thana- SIKARPUR District- West Champaran

Deepak Kumar @ Bholu Sriwastav S/O Late Mohan Prasad R/O Village-
Gokhula P.S. Sikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the Informant.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 384, 387, 427, 506 of the
Indian Penal Code.

According to prosecution case, on the basis of written
application of informant Anil Kumar it is alleged that since last
few months is fed up with threats and Rangdari of different
types from Deepak Kumar and further stated that a few months
ago Deepak Kumar has demanded money and said if the
informant does not give any money he would not let him enter
in the village. It is further alleged that on 13.12.2020 petitioner



alongwith other armed persons has damaged his wheat crop in his land situated at Mathura. When the informant asked through someone else petitioner told him to ask the informant to send Rs.5,00,000/- (Rupees five lacs) or else he will not let the informant enter in his field.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the informant is the uncle of the petitioner and due to previous land dispute the petitioner has been falsely implicated in the present case. He further submits that the Title Suit No. 54 of 2021 is pending before the competent court of law between the parties and it appears from the F.I.R. that informant is not the eye witness of the alleged occurrence. The petitioner is in custody since 08.10.2021.

The learned counsel for the Informant as well as learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Shikarpur P.S. Case No. 688 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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