

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22698 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- PATNA CITY CHOWK District- Patna

DEEPAK KUMAR @ DEEPAK THAKUR S/O OM PRAKASH THAKUR
@ OMKAR THAKUR R/o village- Kaimasikoh, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 302/201/34 IPC and 27 Arms Act.

Allegedly, firing has been made upon the brother of
informant, who during course of treatment has died. Due to
firing a situation of stampede was created during immersion
procession of idol.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. The
F.I.R. was lodged against unknown. He has been falsely
implicated in this case. No such occurrence, in the manner as
alleged, has ever taken place. The allegation leveled against the
petitioner is not specific rather general and omnibus in nature.



In course of investigation, witnesses disclosed the name of petitioner and other 14 accused persons. They specifically alleged that one Pankaj Kumar @ Doriya has opened fire upon the deceased. At best the petitioner can be said to be a member of mob as the allegation of firing has not been levelled against him. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner named above, let him, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chowk P.S. Case No.400/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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