

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28693 of 2022

Arising Out of PS. Case No.-90 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

DEEPAK KUMAR GUPTA @ LALLU S/o Shivnand Prasad Gupta Resident
of Mohalla- Aadarsh Bihar Colony, Bihiya, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-09-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 457 and 380 of
the Indian Penal Code.

As per the prosecution case, Rs. 55,000 and jewellery
made of Gold and silver were stolen by unknown thieves from
the house of the informant after breaking its lock.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of co-accused. No. T.I. Parade has been conducted by the prosecution. The other co-accused person has already been granted bail by this Court vide order dated 03.08.2022 passed in Criminal Misc. No. 20923 of 2022. The petitioner is accused in 19 other criminal cases which are not of heinous and serious nature as stated in para 3 of the bail petition. The petitioner is in custody since 21.08.2021.

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

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Buxar (Ind.) P.S. Case No. 90 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond .



The application stands allowed.

(Chandra Prakash Singh, J)

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