

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57422 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

Deepak Kumar Gupta @ Dipak Kumar Gupta @ Lallu Son of Shivanand Prasad Gupta @ Shiv Nand Prasad Gupta Resident of Village - Adarsh Bihar Colony, P.S.- Bihiya, District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Miss. Soni Srivastava, Advocate Mr.Nilesh Sinha, Advocate
For the State	:	Mr.J.K. Sah, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is in judicial custody in connection with Buxar (Industrial) P.S. Case No. 118 of 2021 lodged on 06.07.2021 under Section 414 and 34 of the Indian Penal Code.

As per the FIR, the Police Officer on information reached Parari more, saw some persons sitting in two Scorpio vehicles while others were loitering on the road. As they saw the police, they tried to flee away where-after the police successfully nabbed accused persons including the petitioner herein. They were searched in the presence of independent witnesses. From the two Scorpio vehicles, some ornaments were recovered.



So far as this petitioner is concerned, allegation is that from his person a mobile was recovered.

Learned counsel for the petitioner submits that the ornaments were recovered from the Scorpio vehicle with which he had no concern. He has merely been arrested for being present at place. As such he deserves bail.

In the aforesaid facts, I am inclined to grant bail to the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial) P.S. Case No. 118 of 2021.

Since the petitioner has criminal antecedent, following conditions are being imposed while granting bail.

(i) one of the bailors should be the family members of the petitioner and will produce official document to show his bona fide;

(ii) the petitioner shall ensure his presence in the pending trial on each and every date and failure to do so for two consecutive dates without plausible reason, the State shall be at liberty to initiate the process for cancellation of his bail;

(iii) he shall visit the local police station every



fortnight for three months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is disposed of.

(Rajiv Roy, J)

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