

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59590 of 2022

Arising Out of PS. Case No.-254 Year-2022 Thana- ADAPUR District- East Champaran

Deepak Kumar Singh @ Pappu Singh S/O Rajnarayan Singh Resident of
Village- Laxmipur Bhawanpur, P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Adapur
P.S. Case No. 254 of 2022, registered for the offences
punishable under Sections 341, 323, 324, 354, 385, 504
and 34 of the Indian Penal Code, Section 3(i), (r) and (s) of
SC/ST Act and Section 37 of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case as emerging from the F.I.R.
is that the petitioner along with his associates, armed with
pistol, knife and iron rod, had started abusing the informant
and said that the informant is henchmen of the present



Mukhiya, Jitendra Kumar Singh.

The Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no allegation against the petitioner of causing injury to the informant and only allegation against the petitioner is that he abused the informant and at the time of abusing he was carrying a pistol. He also submits that investigation in this case is complete and charge-sheet has been submitted but charge has not been framed.

The petitioner has been languishing in jail since 26.08.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has earlier been made accused in six other cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.



Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Special Judge, Excise Court No. -2, East Champaran at Motihari in connection with Adapur P.S. Case No. 254 of 2022, **after framing of charge, if not already framed** on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court



below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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