

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16734 of 2023

Arising Out of PS. Case No.-90 Year-2022 Thana- DUMRA District- Sitamarhi

Deepu Kumar Son Of Ram Pravesh Rai R/O Village- Patahi, P.S.- Belsand,
District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Dumra P.S. Case No. 90 of 2022 dated 28.02.2022 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

4. As per the prosecution, this petitioner was apprehended with a country-made pistol and a live bullet by the police personnel.



5. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get bail and fresh ground upon which the petitioner has placed reliance after rejection of his first bail prayer is that the bail prayer of co-accused namely Ankit Kumar, who is carrying similar nature of allegation, has been allowed by a co-ordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 49266/2022 and the second ground is that the petitioner's trial has not started till now and he has been languishing in jail since 01.03.2022 i.e. more than one year.

6. Learned APP appearing for the State has opposed the bail prayer.

7. Considering the above submissions and mainly the above-mentioned fresh grounds taken by the petitioner as to the co-accused namely Ankit Kumar, who is carrying similar nature of allegation has been granted bail by a co-ordinate Bench of this Court and the petitioner's trial has not started despite his long judicial custody and also the fact that most of the witnesses who are to be examined in his trial are official persons, in my opinion petitioner's second prayer for bail can be accepted. Accordingly, let the petitioner named-above be enlarged 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 Court
concerned in connection with Dumra P.S. Case No. 90 of 2022.

(Shailendra Singh, J)

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