

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15411 of 2022

Arising Out of PS. Case No.-310 Year-2018 Thana- JANDAHA District- Vaishali

DEEPAK KUMAR @ DOCTOR Son of Vilium Kumar Raut Resident of
Village - Hashanpur Bhatwan, P.S.- Hashanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 24-02-2023 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, if any, within a
period of four weeks from today.

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

The petitioner seeks bail in a case registered for the
offence under Sections 147, 148, 149, 302, 307, 326 and 384 of
the Indian Penal Code, Section 27 of the Arms
Act, Section 3 of the Explosive Substance Act and Sections 13,
16, 19 and 20 of the U.A.P. Act and chargesheet has been
submitted under Sections 147, 148, 149, 302, 307, 326 and 384
of the Indian Penal Code, Section 27 of the Arms
Act, Section 3/4 of the Explosive Substance Act and Sections
13, 16, 19 and 20 of the U.A.P. Act.



Earlier the prayer for bail of the petitioner was refused vide order dated 08.01.2021 passed in Cr. Misc. No.28245 of 2020 with the observation that *“if the trial is not concluded within nine months, the petitioner may renew his prayer for bail.”*

Learned counsel appearing for the petitioner submits that the several similarly situated co-accused persons have already been granted bail by different Coordinate Benches of this Hon’ble Court vide orders at Annexure-3 series to this bail petition and the petitioner is in custody since 16.04.2019.

Vide order dated 02.01.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 16.01.2023 reveals that the case is pending on the point of hearing of charge.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jandaha P.S. Case No. 310 of 2018 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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