

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46553 of 2022

Arising Out of PS. Case No.-154 Year-2021 Thana- GOGRI District- Khagaria

Deepak Singh S/o Gangasagar Singh Resident of Village- Borna, Police
Station- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 447, 307,
379, 387, 504 and 506 of the Indian Penal Code and Section 27
of the Arms Act.

According to prosecution case, the petitioner along
with other accused persons armed with weapons entered in the
house of the informant and started abusing him. They also
thrashed the informant and his wife on the ground and then the
petitioner opened fire on the informant due to which he
sustained injury in his thigh. It is further alleged that they
threatened of dire consequences if the informant and his wife do
not meet with the demand of Rs. One lakh as rangdari every



year.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that altogether 12 accused persons were named in the F.I.R. He further submits that who actually fired upon the informant is not clear from the F.I.R. He further submits that due to land dispute, the present occurrence took place. He further submits that injury report suggests that the informant has received a firearm injury but not on the vital part of the body. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 03.06.2022.

The learned counsel appearing on behalf of the informant as well as Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 6 criminal antecedents other than the present one but fairly submits that the petitioner is on bail in all the cases.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 learned Court



below where the case is pending in connection with Gogri P.S.

Case No. 154 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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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