

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47288 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Deepak Kumar @ Deepu Kumar @ Deepak Kumar Choudhary @ Deepak Choudhary S/o Nathun Choudhary Resident of Village- Head Manpur, Kukra, P.S.- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan, Adv.
	:	Mr. Nitish Kumar, Adv.
	:	Mr. Sanjay Kr. Sharma, Adv.
For the Opposite Party/s	:	Mr. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-02-2023 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.

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

As prayed for, permission is accorded to the petitioner's counsel to make necessary correction in para 10 of this criminal miscellaneous petition in course of the day.

Petitioner seeks regular bail in connection with Buniyadganj P.S. Case No. 295 of 2021 (G.R. No. 6494/2021) registered for the offences punishable under Sections 323, 307,

386 and 504/34 of the Indian Penal Code.

As per the prosecution, an altercation took place in between the informant and the accused persons including this petitioner on account of payment of Jacket. It is further alleged that the accused persons along with this petitioner assaulted the informant on the point of pistol and made extortion demand of rupees fifty lakhs.

The main submissions advanced by learned counsel Mr. Priya Ranjan appearing for the petitioner are that the petitioner was arrested in connection with Buniyadganj P.S. Case No. 296/2021 from which he was remanded in the present matter and he has been languishing in jail since 28.12.2021 and against him, the investigation has been completed and another co-accused namely, Vicky Kumar has been granted regular bail by the court below. Further submission is that on the alleged day and time of occurrence, a simple dispute between the petitioner and the informant took place with regard to the payment of Jacket, which was purchased by the petitioner and no any type of extortion demand was made by the petitioner and there are criminal antecedent of seven cases against the petitioner, out of which he has got bail in five cases.

Learned APP Mr. Narsingh Tanti appearing for the

State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's custody period and also the fact that there is no allegation of delivery of money which was demanded by the petitioner, this Court is inclined to accept the petitioner's prayer for bail. 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 Buniyadganj P.S. Case No. 295 of 2021 (G.R. No.-6494/2021).

(Shailendra Singh, J)

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