

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53819 of 2022**

Arising Out of PS. Case No.-201 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

Deepak Kumar, S/o Ram Babu Paswan, Resident of Mohalla- Math  
Laxmanpur, Koiri Tola, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      14-02-2023              Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks from today.

Heard Mr. Raj Kumar, learned counsel for the  
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in  
connection with Sri Krishnapuri P.S. Case No. 201 of 2022  
registered for the offences punishable under Sections 399, 402  
of the Indian Penal Code and Sections 25(1-b) a, 26, 35 of the  
Arms Act.

The police on a confidential information with regard  
to assemblage of some miscreants, raided the place of  
occurrence and apprehended seven persons. It is alleged that  
various incriminating materials, including the fire-arms, were



recovered from the accused persons. It is specifically alleged that one *Pilas* was recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that from the F.I.R. it is evident that no incriminating material has been recovered, save and except one *Pilas*, which cannot be said to be incriminating material in view of the fact that the petitioner is a plumber and while he was returning to his home, in the meantime, on suspicion he was arrested along with others. He next submits that innocence of the petitioner is also fortified for the reason that the petitioner has no criminal antecedent and is in custody since 25.05.2022 and now the investigation is already complete and the charge-sheet has been submitted.

On the other hand learned APP for the State opposes the bail application and submits that all the accused persons, including the petitioner, were arrested while they were preparing for committing dacoity.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, coupled with the fair antecedent and the period of custody, let the petitioner, named above, be released on bail on furnishing bail



bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna in connection with Sri Krishnapuri P.S. Case No. 201 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

uday/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

