

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58161 of 2022

Arising Out of PS. Case No.-940 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Deepak Kumar Son Of Ganesh Thakur, R/O Village- Ismailpur, P.S.- Hajipur
Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 24-02-2023 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Hajipur Town P.S. Case No. 940 of 2021 lodged under Section
395 of the I.P.C.

As per prosecution, the allegation of *dacoity* is there
against unknown persons, who has looted the jewellery etc.
amounting Rs.20 lacs and other articles.

Learned counsel for the petitioner submits that during
investigation Test Identification Parade has taken place of the
present petitioner but he has not been identified. Counsel further
submits that nothing incriminating was recovered from



possession of the petitioner. He further submits that there are two criminal cases pending against the petitioner but in one case he is on bail and in another case he has been acquitted. Counsel further submits that petitioner is in custody since 10.01.2022 and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail and submits that petitioner has not been identified in T.I.P..

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 940 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall



file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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