

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69590 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- INDUSTRIAL District- Bhagalpur

Deepak Kumar @ Sangam Kumar, Son Of Satan Mandal Resident Of Village
Meerachak, Police Station Industrial Area, District Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Industrial Area P.S. Case No. 43 of 2023, lodged on 10.03.2023
under Sections 147, 148, 149, 341, 342, 302 and 120(B) of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 9 named accused persons including the present
petitioner and as per the allegation in the FIR, the accused
persons have surrounded the informant and his family due to old
enmity and specific allegation against the present petitioner that
he has assaulted the informant and others by fist.

4. Learned counsel for the petitioner submits that the
other 3 accused persons against whom the similar allegations



are there has been granted regular bail by a co-ordinate Bench of this Court vide order dated 20.07.2023 passed in Criminal Miscellaneous No. 43143 of 2023. He further submits that the petitioner is in custody since 22.06.2023 and there are four criminal cases pending against the petitioner and in all the cases he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the perusal of the bail order granted by the co-ordinate Bench of this Court, it is crystal clear that the criminal antecedent of other persons are clean.

6. Upon the specific query of the Court that whether charge has been framed in this case or not, learned counsel submits that he is not well aware about this fact.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Industrial Area P.S. Case No. 43 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the



following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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