

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78785 of 2023

Arising Out of PS. Case No.-43 Year-2013 Thana- JHAJHA RAIL P.S. District- Lakhisarai

Deepak Kumar Singh Son Of Anil Kumar Singh Resident Of House No 5
Mohankunj Hanuman Takri, Distt- Deoghar Shiv Mandir, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code.

3. The prosecution case, in short, is that F.I.R. lodged against one unknown person who stole informant's bag with a laptop, mobile, debit card, Pan Card and Cash of 3,000/-.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner is quite innocent and has been falsely implicated in this case at the instance of enemy. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been made accused in this case only on the basis of confession statement of co-accused, Rupesh Kumar. There is no specific overt act against the petitioner. Petitioner has no



criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances of the case, as there is no overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jhajha P.S. Case No. 43 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the criminal antecedent of the petitioner and at any stage, if it is found that before filing the present case, the petitioner was involved in some other cases as what has been stated in Para 3 of the bail application, his bail bond shall be cancelled by the learned Court below.

(Anjani Kumar Sharan, J)

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