

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13870 of 2024

Arising Out of PS. Case No.-631 Year-2023 Thana- HILSA District- Nalanda

Deepak Kumar @ Baso S/O Anuj Ram R/O Village- Miklipar, P.S- Hilsa,
Distt.- Nalanda. At Present Resident Of Goraiya Asthan, Bihari Road, Hilsa,
P.S- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sunil Prasad, Advocate
For the State : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Hilsa
P.S. Case No. 631 of 2023 instituted for the offence under
Sections 398, 401, 353, 307 of the Indian Penal Code and
Sections 25(1-B)a, 26, 27 & 35 of the Arms Act.

3. Prosecution case in a nutshell is that there is
recovery of 10 cartridges & one mobile phone from the
possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30-09-2023. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the possession of the petitioner rather recovery is planted. So far as recovery of mobile phone is concerned, it belongs to him. There is no compliance of Section 100 of the Cr. P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hilsa P.S. Case No. 631 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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