

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32458 of 2024

Arising Out of PS. Case No.-278 Year-2020 Thana- KISHANPUR District- Supaul

Deepak Kumar @ Kaila @ Deepak Yadav S/O Hareram Yadav R/O Village-
Mokma, P.S- Bahra, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kishanpur P.S. Case No. 278 of 2020 instituted for the offence
under Sections 392 & 411 of the Indian Penal Code.

3. Prosecution case in short is that informant was
accosted with unknown miscreants when he was on his way and
on the point of pistol they looted his motorcycle, mobile phone
and Rs. 3,800/- and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-10-2020. Petitioner
bears nine 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. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Prawin Kumar, and the same has no evidentiary value. It is submitted that petitioner was not put on T.I. parade. Nothing has been recovered from the conscious possession of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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, manner of petitioner's implication and charge sheet being submitted, 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 Kishanpur P.S. Case No. 278 of 2020, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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