

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47526 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- ITARHI District- Buxar

Deepak Kumar Singh @ Deepak Singh @ Budha Singh Son of Late Surendra Singh Resident of village - Hakimpur, Police Station - Itarhi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-07-2024 Heard Mr. Parijat Saurav, learned counsel for the petitioner and Mr. Md. Mushtaque Alam, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 21.03.2023, in connection with Sessions Trial No. 04 of 2024 arising out of Itarhi P.S. Case No. 81 of 2023, F.I.R. dated 20.03.2023 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 302, 504 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons brutally assaulted the mother of the informant and during course of treatment her mother died.

4. Learned counsel for the petitioner submits that the petitioner is clean antecedent and he has been falsely implicated



in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from the perusal of the F.I.R. it appears that the petitioner has not committed any offence as alleged in the F.I.R. He further submits that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that co-accused person namely Sanjay Singh has been granted bail by this Court vide order dated 14.09.2023 passed in Cr. Misc. No. 58359 of 2023, another co-accused person namely Kinu Chauhan has been granted bail by a coordinate Bench of this Court vide order dated 05.10.2023 passed in Cr. Misc. No. 62530 of 2023, another co-accused person namely Ranjeeta Devi has been granted bail by a coordinate Bench of this Court vide order dated 03.11.2023 passed in Cr. Misc. No. 72220 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.03.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases



other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in all the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Buxar/Successor Court in connection with Sessions Trial No. 04 of 2024 arising out of Itarhi P.S. Case No. 81 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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