

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69602 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Deepak Kumar @ Aditya Kumar Son of Raghuvar Sahani Resident of Village
- Bhagwatiya, P.S. - Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Piprakothi P.S. Case No. 46 of 2024 instituted for the offence
under Sections 399 & 402 of the Indian Penal Code, Sections
25(1-B)a, 26 & 35 of the Arms Act and Section 20(b)(ii)(c),
23(c) & 29 of the NDPS Act.

3. Prosecution case in short is that on secret
information pertaining to planning of crime by some miscreants,
police party reached the place of occurrence. It is alleged that
from the possession of the accused persons arms and
ammunitions were recovered.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 01.03.2024. Petitioner bears two 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. Learned counsel for the petitioner submits that petitioner has no concern with the recovered arms. Except one mobile phone, nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that no any contraband has been recovered from the possession of the petitioner. It is next submitted that there is no compliance of Section 100 Cr.P.C. The co-accused person has already been granted bail by this Bench vide order dated 25.06.2024 passed in Cr. Misc. No. 35376 of 2024.

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 claim based on parity, 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 Piprakothi
P.S. Case No. 46 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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