

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84395 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- SONEPUR District- Saran

DEEPAK KUMAR S/O LATE HARENDRA RAY R/O VILLAGE-
SHIVPUR, CHAKAPSAID, P.S- SONPUR @ SONEPUR, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonpur @ Sonapur P.S. Case No. 295 of 2023 registered on
27.04.2023 lodged under Sections 25(1-b)a, 26 of the Arms,
Act. 1959

3. As per the prosecution case, there is recovery of
Arms from the possession of the petitioner.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 28.04.2023 having five criminal case
pending against him, in which he is on bail. Counsel for the
petitioner submits that this case has been lodged at the instance
of the police because he has five pending criminal antecedents



in which he is on bail and in one which is the present case for which he is pursuing bail. Counsel further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonpur @ Sonepur P.S. Case No. 295 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. Speedy trial is constitutional vision of justice and with a view to fulfill said vision, it has been directed to District and Sessions Judge, Saran at Chapra to do the needful so that all the cases which is of same police station and triable by Magistrate shall run before the same Magistrate but if triable by Sessions Judge shall run before one Sessions Court.

- Sonapur P.S. Case No. 114/2019
- Sonapur P.S. Case No. 447/2019/2023
- Sonapur P.S. Case No. 32/2019



- Sonepur P.S. Case No. 169/2020
- Sonepur P.S. Case No. 261/2020
- Sonepur P.S. Case No. 295/2023

9. With this observation, the bail application stands allowed.

10. Let the copy of the order be communicated to the District and Sessions Judge, Saran at Chapra

(Dr. Anshuman, J)

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