

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86408 of 2023

Arising Out of PS. Case No.-584 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

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Deepak Kumar Singh Son of Ram Sagar Singh R/o Mukrera, P.S. - Revilganj,
Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard Mr. Radha Mohan Singh, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending arrest in connection with (Chapra) Mufassil P.S. Case No. 584 of 2023 instituted under Sections 341, 323, 307, 385, 387, 506 & 34 of the Indian Penal Code and section 30 of the Arms Act lodged on 31.7.2023 by the informant, Yogendra Prasad.

3. As per the prosecution story, the informant alleged that the petitioner had come to his TVS workshop for service of scooter and after the process was completed and the bill was delivered to him, he started arguing on the amount. Meanwhile, one Mukesh Kumar Singh came and pointed his rifle towards the chest of Nitish Kumar. The police came and arrested



Mukesh Kumar Singh and seized the rifle.

4. Learned counsel for the petitioner submits that neither Mukesh Kumar Singh is related to him nor he had any concern with the said person. He was only arguing with the informant when Mukesh Kumar Singh suddenly stormed and pointed out his rifle and in that process, he has also been implicated. The last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer stating that it was argument between the employer and this petitioner which led to Mukesh Kumar Singh to point rifle on the chest of Nitish Kumar.

6. Taking into account the aforesaid facts as also that the allegation of pointing out the rifle is on Mukesh Kumar Singh who was arrested on the spot, as per the statement of the learned counsel for the petitioner he has nothing to do with the said Mukesh Kumar Singh and he do not have criminal antecedent, this Court is inclined to grant him the privilege of bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each in connection with (Chapra) Mufassil P.S. Case No. 584 of 2023 to the satisfaction of learned learned Chief Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

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

(vi) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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