

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4575 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- Kumarbagh District- West Champaran

Deepak Kumar @ Deepak Kumar Sharma@ Deepak Sharama S/O Rudal
Thakur R/O Vill.- Kurwa Mathia, P.S.- Kumarbagh, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kumarbagh P.S. Case No. 66 of 2024 instituted for the offences under Sections 126(2), 127(2), 115(2), 109, 119(1), 308(3), 308(4), 308(5), 351(2)/3(5) of the Bhartiya Yaya Sanhita.

3. The prosecution case, in short, is that the accused persons including the petitioner tied the hands and legs of the Informant on the way, took out a pistol, put the same in the mouth of the Informant and demanded five lakh rupees from him. They also threatened of killing if the demand is not fulfilled by him.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence at all as alleged against him in the F.I.R. rather has falsely been implicated in the present case only due to village level party politics and with a view to cause harassment. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the confessional statement of the co-accused Himanshu Singh before the police which has no evidentiary value in the eye of law. No Test Identification Parade has been conducted in this case to confirm the identity of the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2024 without any rhyme or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Ranu Singh @ Priyanshu Singh has been granted bail by this Court vide order dated 28.01.2025 passed in Cr. Misc. No. 3212 of 2025.

6. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Kumarbagh P.S. Case No. 66 of 2024.

(Rudra Prakash Mishra, J)

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