

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31962 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- MANER District- Patna

Deepak Kumar S/o- Vijay Singh @ Bhutani Singh Resident of village- Sattar
PS- Maner District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Maner P.S. Case No. 233 of 2024, instituted for the offences under Sections 302 read with Section 34 of the I.P.C. and Section 27 of the Arms act and further added Section 120-B of the I.P.C. and Section 25(1-B)a of the Arms Act. He has no criminal antecedent.

3. As per the prosecution case, the petitioner as well as one co-accused namely Munna Singh are alleged to have caught hold of the victim and snatched away Rs. 70,000/- from him and subsequently it is alleged that the petitioner as well as the co-accused Munna Singh fired at the deceased, resulting in death of the deceased on the spot.

4. It is submitted by learned counsel for the petitioner



that petitioner has falsely been implicated in this case and there is no eye witness of the occurrence. However, the informant has projected himself to be the eye witness in the present case which get falsified from the evidence collected during investigation. It has been submitted that the dead body of the deceased was recovered from the Tempo, which could be ascertained from the Inquest Report and subsequently the statement of one witness namely Tutu Kumar, who was the driver of the alleged Tempo was recorded and he has stated that when he had arrived at the place of occurrence, the dead body was kept in the Tempo. It is further submitted that during course of investigation, nobody has claimed to have seen the occurrence barring the informant. Learned counsel next submits that from the Post-mortem Report one entry wound was found on the body of the deceased while there has been allegation that petitioner and co-accused fired upon the son of the informant. Lastly, it has been submitted that the co-accused namely Munna Singh was granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 20.11.2024, passed in Cr. Misc. No. 69140 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and has stated that the informant has specifically named the petitioner, who had



fired upon his son, which resulted in the death of his son.

6. Considering the aforesaid facts and circumstances and the submissions made by the parties and taking into account the fact that there was material contradiction in the statement of the informant and what has transpired during course of investigation and also the fact that the petitioner has clean antecedent and he is in custody since 24.12.2024, let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 233 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 antecedent, the court be-low 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 the same or in the name of verification.

(Sourendra Pandey, J)

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