

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33694 of 2025

Arising Out of PS. Case No.-302 Year-2021 Thana- UJIYARPUR District- Samastipur

Deepak Kumar S/o Ram Parvesh Ray @ Parvesh Yadav R/o Village-
Badiveripas, P.S.- Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-06-2025 Heard Mr. Anirudh Kumar, learned counsel for the
petitioner and Mr. Anil Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
29.03.2024 in connection with Ujiyarpur P.S. Case No. 302 of
2021, F.I.R. dated 04.10.2021 registered for the offence
punishable under Sections 392 and 307 of the Indian Penal Code
and u/s 25(1-B) (a) 27, 35 of the Arms Act.

3. As per the prosecution case, petitioner and other
accused persons are alleged to have looted the jewellery shop of
the informant including ornaments of gold and silver worth Rs.
1,50,000/-. One accused was apprehended on the spot and he
disclosed the name of the petitioner. The Police has also
recovered one pistol, two empty cartridges and one live
cartridge from the place of occurrence.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the



present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and till date no TIP has been conducted by the prosecution nor any article has been recovered from conscious possession of the petitioner, therefore no case is made out against the petitioner under the Arms Act. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused person, namely, Amit Kumar. Similarly situated co-accused persons, namely, Bajrangi Kumar has been granted regular bail by a Coordinate Bench of this Hon'ble Court vide order dated 24.01.2025 passed in Cr. Miscellaneous No. 66629 of 2024 and co-accused person, namely, Amit Kumar has been granted regular bail by this Court vide order dated 28.07.2022 passed in Cr. Miscellaneous No. 11582 of 2022. The Police after investigation submitted the charge-sheet against the petitioner and petitioner is on custody since 29.03.2024.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the petitioner was involved in the crime and apart from that, the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in paragraph-3 of the bail petition.



6. Considering the aforesaid fact, similarly situated persons had already been granted regular bail by a coordinate bench and by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur in connection with Ujiyarpur P.S. Case No. 302 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 below 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 or in the name of
verification.

(Rajesh Kumar Verma, J)

Ranjeet/-

U		T	
---	--	---	--

