

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37470 of 2025

Arising Out of PS. Case No.-48 Year-2023 Thana- BITHAN District- Samastipur

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Deepak Yadav @ Deepak Kumar S/o Javahar Yadav R/o Village-
Bhikhnaulia, P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 12-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bithan P.S. Case no.48 of 2023 registered under section 395 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was returning to his village, six accused persons on two motorcycles surrounded him and on point of weapon looted him of his motorcycle and other articles as mentioned in the F.I.R.

4. Learned counsel for the petitioner has filed a supplementary affidavit in Court. The same is taken on record.



5. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. Referring to the order of the learned trial Court it is submitted that the petitioner has been falsely implicated in the case in course of investigation when his name was allegedly taken by co-accused Nitish Kumar in his statement made before police. No incriminating article has been recovered from the petitioner's possession who is in custody since 6.12.2024 and has no criminal antecedent. It is further submitted that the looted motorcycle was recovered from an isolated place. The petitioner has not been put on T.I. Parade.

6. The application for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, no incriminating article having been recovered from the petitioner's possession, charge-sheet having been submitted in the case without putting the petitioner on T.I. Parade in spite of the petitioner having remained in custody for 6 months since 6.12.2025 and his not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Bithan P.S. Case no. 48 of 2023, on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Judicial
Magistrate Ist Class, Rosera, Samastipur.

(Partha Sarthy, J)

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