

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60834 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- SHRIKRISHNAPURI District- Patna

Deepak Kumar S/o- Raj Kumar R/o Village- Rahmat Gunj Post- Masaudhi
PS-Masaudhi Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr.Sameer Kumar, learned counsel for the

petitioners and Mr.Anant Kumar 1, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sri Krishnapuri P.S.Case No.129 of 2025,FIR dated 16.05.2025 registered for the offences punishable under Section 304(2) of BNS.

3. The FIR of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Vikash



Kumar and except the confessional statement of co-accused person, namely, Vikash Kumar, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Co-accused person, namely, Vikash Kumar has also confessed that the petitioner alongwith two other co-accused persons were involved in the present crime in question.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Vikash Kumar, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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., Patna Sadar in connection with Sri Krishnapuri P.S.Case No.129 of



2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) 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.

(II) 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.

(III) 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/her 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)

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