

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61519 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BUDDHACOLONY District- Patna

Deepak Kumar @ Deepak Yadav S/o Late Parmeshwar Yadav Resident of
Dujra Main Road, Rajendra Ghat, P.S.- Budha Colony, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Adv.

For the Opposite Party/s : Mr. Binod Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. At the outset, learned Advocate for the petitioner
seeks permission to make necessary correction in paragraph no.
1 of the bail application.

3. Permission is accorded.

4. The petitioner apprehends his arrest in connection
with Buddha Colony P.S. Case No. 264 of 2025, registered for
the offences punishable under Sections 25(1-b) a, 26, 35 of the
A.

5. Allegedly in course of patrolling, the police
received an information regarding the assemblage of some
miscreants, raided the place, however noticing the police party,



all the accused persons succeeded in fleeing away after throwing the arms. One of the person, namely, Shivam Kumar who was present there, disclosed that he had a quarrel with one Shubham Kumar and all the accused persons had assembled there with the fire arms to kill him. On search, the police recovered one pistol and three live cartridges at the back of the community hall.

6. Learned Advocate appearing on behalf of the petitioner submitted that even if the allegation taken to be true for the sake of argument, no case is made out against the petitioner. Save and except, disclosure made by one Shivam Kumar regarding assemblage of miscreants and the petitioner is said to be one of them, there is no material to implicate the name of the petitioner in so called crime. Neither any incriminating materials/arms or cartridges were recovered from the whereabouts of the petitioner, nor any materials have been collected during the course of investigation suggesting his complicity. The petitioner has one criminal antecedent, but he is on bail in the said case as disclosed in paragraph no. 3.

7. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that besides one criminal antecedent the name of the petitioner has been



disclosed by apprehended co-accused persons.

8. Considering the submissions set forth by learned Advocate for the respective parties and taking note of the allegation and the materials available on record as also the fact that save and except confessional statement, there is no other cogent material, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Patna in connection with Buddha Colony P.S. Case No. 264 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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