

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75966 of 2025

Arising Out of PS. Case No.-866 Year-2024 Thana- DIGHA District- Patna

Deepak Rai @ Deepak Kumar @ Indrajeet Rai S/o Jainath Rai @ Jainath Ray
Resident of - Ramjee Chak, Sarkari school Gali, P.S - Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Rahul Raj, learned counsel for the

petitioner as well as Mr. Umeshanand Pandit, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.06.2025 in connection with Digha P.S. Case No. 866 of 2024,
F.I.R. dated 20.11.2024 for the offences punishable under
Sections 309(6), 103(1), 3(5) of the Bharatiya Nyay Sanhita,
2023 and 27 of the Arms Act.

3. According to prosecution case, the informant
alleged that on 18.11.2024, his son has been shot dead by the
unknown miscreants and looted his belongings.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The petitioner is not named in the FIR and his



name transpired on the basis of confessional statement of co-accused person, namely, Sanjeev Kumar and thereafter confessional statement of the petitioner was recorded in which he has stated that he was involved in the present crime in question but he has stated that one Nitesh Kumar has fired upon the deceased and during investigation, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 19.06.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in five cases.

6. Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M-IX-Patna in connection with Digha P.S. Case No. 866 of 2024, subject to the 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 absence on two consecutive dates without sufficient reason, his 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 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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