

In the Court of Sessions Judge, Supaul
B.A.-324/2026
(Arising out of Bhimpur P.S. Case No.51/2024)

	Deepak Kumar, S/o- Bijendra Yadav, R/o- Tintoliya, PS- Pratapanj, District Supaul; Accused/Petitioner Vs. State of BiharO.P.	
<u>01/07/26</u>	Ld. Counsel for petitioner Sri. Sanjay Kumar Singh, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the bail application filed on behalf of the accused/ petitioner namely Deepak Kuma, who is in custody since 20.04.2026 in connection with Bhimpur PS case No.51/24, u/s- 395, 397, 412 of IPC & 27 Arms Act. Ld. counsel for the accused/ petitioner submitted that the accused/ petitioner is quite innocent and he has committed no crime and he has falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioner is also involved in two other criminal cases. He further submitted that accused/ petitioner is not named in FIR and he has been framed in the instant case on the basis of confessional statement of co-accused. He further submitted that no T.I.P has been conducted by the I.O. He further submitted that no any incriminating article has been recovered from the possession of the accused/ petitioner. The accused/ petitioner is in judicial custody since 20.04.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar. Ld. APP for the State strongly opposed the prayer of bail application. In brief, the prosecution story is that on dated 15.04.2024 at about 04:15 P.M., the informant along with other persons, who were the employee of Bandhan Bank were returning from the Bandhan Bank Branch on a four wheeler car with cash of Rs.9,95,000/- in a bag and at about 07:00 P.M., four accused persons came near the car and on the gun point overpowered them and fired upon the car from left side due to which the glass of the car was broken. Thereafter, the vehicle was locked and the accused persons snatched the carrying bag as well as other documents including driving licence and authorization letter from the informant and another person and after that on the basis of the statement of Sumit Kumar, the FIR was registered. Argument heard from both sides and perused the lower court record as well as case diary. Admittedly, the accused/ petitioner is in judicial custody since 20.04.2026. On perusal of the case diary, it transpires that the I.O has given the description of the place of occurrence and also recorded the statement of the witnesses namely Sintu Kumar, Sandeep Kumar @ Sandeep Kumar Suman and Sumit Kumar. Thereafter, I.O has also given the description of the details of the offence committed by the accused persons regarding the	Contd.

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property. Thereafter, in para No.61 of the case diary, the I.O has given the supervision report and noted down the contents of the *fardbyan* in verbatim. Thereafter, in para No.81 of the case diary, the I.O has mentioned the confessional statement of the accused Sonelal Yadav and he admitted his guilt in the commission of crime and the accused Sonelal Yadav also stated to the police about the complicity of this accused/ petitioner along with other accused persons in the commission of the crime. On minute scrutiny of the entire lower court record as well as case diary, it transpires that the offence was committed on 15.04.2024 at about 05:00 P.M. The informant has given the physical description of the accused persons but after surrounding the accused/ petitioner before the Ld. lower court, I.O has neither made any application for conducting the T.I.P or taking any steps regarding the recovery of any articles from this accused/ petitioner. Only on the basis of confessional statement of co-accused, the accused cannot be kept in judicial custody for indefinite period. In this case the charge-sheet against the other accused persons has already been filed and the cognizance against this accused/ petitioner has also been taken by the Ld. Magistrate. It is also pertinent to mention here that the other accused persons have got the regular bail by this court in BA No.722/24 and BA No.964/24 respectively.

Hence, keeping in mind the period of custody and other surrounding circumstances, I find that accused/ petitioner is entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of accused/ petitioner namely Deepak Kumar stands **Allowed** on furnishing bail bond of Rs.20,000/- with two sureties of the like amount each to the satisfaction of learned Court below and one of the bailor must be family member or close relative.

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul