

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32049 of 2017

Arising Out of PS.Case No. -361 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Dilkhush Kumar @ Kalyan Kumar son of Shivshankar Yadav resident of village - Morkahi, P.S. - Sour Bazar (Patarghat), District - Saharsa at present residing at Housing Board Colony, P.S. K. Hat, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 01.06.2017 in connection with K. Hat P.S. Case No. 361/17 for offences punishable under Sections 323, 353, 224, 225 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that when Md. Khurshid was brought in the court premises in connection with K. Nagar P.S. Case No. 238/17 the petitioner tried to take away the said accused Md. Khurshid in his motorcycle but both were apprehended by the police.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that the said co-accused Md. Khurshid has been granted privilege of bail by the learned court below itself, no overt act had been committed and there was no malicious intention by the petitioner, who was giving water to the co-accused and had come to the court premises for his personal work.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Purnea, in connection with K. Hat P.S. Case No. 361/2017, subject to the condition that both the bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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