

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18847 of 2019

Arising Out of PS. Case No.-319 Year-2018 Thana- UDAKISHUNGANJ District-
Madhepura

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DILKHUSH KUMAR, S/o Kumod Prasad Yadav, aged about 30 years (M),
Resident of Village- Jhalighat @ Jhalidhar, Ward No. 12, P.S.- Janki Nagar,
District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pawan Kumar, Advocate.

For the Opposite Party : Mr.Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
19.10.2018 in a case for the offence registered under Sections
414 of the IPC, 25(1-b) a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the one loaded
country made pistol alongwith stolen Motorcycle is alleged to
have been recovered from possession of the petitioner.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. One loaded country made pistol alongwith stolen



Motorcycle is alleged to have been recovered from possession of the petitioner. The petitioner has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Uda-Kishunganj, Madhepura, in connection with Uda-Kishunganj P.S. Case No. 319 of 2018.

(Sudhir Singh, J)

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