

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80723 of 2019

Arising Out of PS. Case No.-240 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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DILKHUSH KUMAR S/o Awdhesh Sharma R/o Ward No. 17, Purani Sanha,
P.O.- Sahebpur Kamal, P.S.- Sahebpur Kamal @ S. Kamal, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Nirmala Kumari Adv

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Sahebpur Kamal @ S.Kamal
P.S. Case No. 240 of 2019 instituted for the offence under
Section(s)25(1-b)a 26 and 35 of the Arms Act, 1959.

The petitioner is in custody since 30.07.2019. It is
submitted that he has no criminal antecedents and the
allegations disclosed in the FIR are alleged that petitioner has
confessed to having been given the arms in-question by one
Golu Kumar which was kept by him after digging the ground in
front of his house near a hand pump. It is submitted that other
than this alleged confession, there is no legal material to
connect the petitioner with the recovery in-question and the



recovery is not from the person or conscious possession of the petitioner.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, 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 CJM, Begusarai, in connection with Sahebpur Kamal @ S.Kamal P.S. Case No. 240 of 2019, G.R. No. 2734 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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