

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30330 of 2020

Arising Out of PS. Case No.-102 Year-2020 Thana- MADHEPURA District- Madhepura

DILKHUSH KUMAR Son of Ram Chandra Yadav @ Ram Chandra Prasad
Yadav Resident of Village- Gauri Tola, Arita, Ward No.07, Police Station-
Sonbarsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Madhepura P.S. Case No. 102 of 2020 for the offence punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

The police is stated to have apprehended the accused persons including the petitioner herein, who were coming on a motorcycle and as far as the co-accused person namely Raju Kumar is concerned, one country made pistol and one cartridge was recovered, however, no arms is stated to have



been recovered from the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 03.02.2020.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that no recovery of arms has been made from the conscious possession of the petitioner and moreover, the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 102 of 2020.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

