

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14880 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- SANGRAMPUR District- Munger

Dilkhush Kumar, aged about 23 years old, male, Son of Pintu Tanti Resident
of Cukkage- Naya Tola, Hasanpur, P.S.- Sangrampur, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-09-2021 In view of the sudden resurgence of Covid-19 infection,
there is limited functioning of the High Court and, therefore, the
matter has been listed today for consideration through virtual
mode.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Sangrampur PS Case No. 104
of 2020, GR No. 1072 of 2020, instituted for the offence under
Sections 399, 402 and 414 of the Indian Penal Code and
Sections 25(1-b)/26/35 of the Arms Act.



On receiving secret information, the police has proceeded to verify and raid the place where miscreants have assembled for committing the crime. The petitioner is stated to be one of the persons arrested in the alleged raid.

Referring to the seizure list which is part of the F.I.R., petitioner's counsel submits that from the petitioner's possession there is recovery of one Vivo mobile phone. It has been stated in paragraph no.3 of the petition that he has no criminal antecedents. He is in custody since 14.6.2020. The plea is that it is a case of false implication and being a *bona fide* passerby, the petitioner has become a victim of the circumstance.

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

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 learned Chief Judicial Magistrate, Munger, in connection with



Sangrampur PS Case No. 104 of 2020, GR No. 1072 of 2020,
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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