

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40886 of 2020

Arising Out of PS. Case No.-179 Year-2020 Thana- CHAUSA District- Madhepura

Dilkhush Kumar S/o Lucho Singh Resident of Village - Khopariya, P.S.-
Chausa, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Dr. Kumar Uday, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Chousa P.S. Case no. 179 of 2020 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, on a raid being conducted three accused persons were caught while two managed to escape. It is stated that a loaded country made pistol was recovered from possession of co-accused Manish Kumar while a live cartridge and two knives were recovered from possession of this petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery is false and incorrect. No



incriminating article has been recovered from possession of the petitioner, who has no criminal antecedent and he is in custody since 10.8.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration, the petitioner not having any criminal antecedent and being in custody since 10.8.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chousa P.S. Case no. 179 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Udakishunganj, District Madhepura.

(Partha Sarthy, J)

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