

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13126 of 2022

Arising Out of PS. Case No.-118 Year-2018 Thana- Triveniganj District- Supaul

Dilkhush Kumar @ Dilkhush Yadav S/o Praduman Kumar @ Krit Narayan
Yadav R/o village- Bhavtiya, P.S.- Sour Bazar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Triveniganj P.S. Case No. 118 of 2018 lodged under Section 392
of the I.P.C.

As per the prosecution case, the allegation as per the
present F.I.R. is of robbery.

Learned counsel for the petitioner submits that
petitioner is innocent. The present case has been filed against
unknown. He is in custody since 28.08.2020. He submits that
petitioner was not put on T.I.P. even though from the F.I.R., it is
clear that the informant claimed about the identification of the

accused persons. Petitioner submits that charge sheet has already been filed in this case but he has not assured that whether charge has been framed in this case or not. On the point of criminal antecedent which are 12, learned counsel for the petitioner submits that out of 12 cases, 10 cases are relating to robbery itself and all cases were lodged before the different police stations of Saharsa, Supaul and Madhepura District.

Learned counsel for the petitioner on the point of criminal antecedent specifically mentioned that he is ready to fulfill all the conditions whatsoever it may be imposed by the Court, he also assured to this Court that he is always and always ready to support in the trial and appear on each and every day fixed.

Learned counsel for the State opposes the prayer for bail and submits that the criminal antecedent report indicates that he is a notorious criminal having 10 cases registered relating to robbery against him and rest other cases as such type of person and bail may not be granted to such type of accused persons. On this point that whether charge sheet has been framed in this case or not. Learned APP is also not in a position to inform this Court.

In the present facts and circumstances of this case and

the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his present bail application is hereby rejected.

However, a liberty to the petitioner is granted that he may renew his prayer before the trial court after framing of charge.

(Dr. Anshuman, J.)

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Item No. 15

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