

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44705 of 2021**

Arising Out of PS. Case No.-246 Year-2020 Thana- BACHHWARA District- Begusarai

DILKHUSH KUMAR @ NEPLA S/o Pammu Kunwar R/o village- Pidhauli,
P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 506 and other sections of the Indian Penal code and section 27 of the Arms Act.

As per the prosecution case, the shot fired by the petitioner on the informant got deflected from the button of his dress while the shot fired by co-accused hit him in his abdomen.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Only one injury in the abdomen has been found which is attributable to the co-accused and not the petitioner herein. The petitioner is in custody since 4.1.2021 and has no criminal antecedent. The petitioner undertakes to cooperate in the trial.



Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 623 of 2021 arising out of (Bachhwara P.S. Case no. 246 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 Additional District and Sessions Judge I, Begusarai.

It is directed that the petitioner shall cooperate in the trial and in case the learned Trial Court is of the opinion that the trial is being delayed due to non-cooperation of the petitioner, the learned Trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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