

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63101 of 2021

Arising Out of PS. Case No.-422 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Dilkhush Kumar S/o Pankaj Singh @ Pankaj Kumar Singh Resident of
Village- Khamhar, Ward No. -1, P.S.- Muffasil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arjun Prasad, Advocate

For the Opposite Party : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Begusarai Town P.S. Case No. 422 of 2021, disclosing offence punishable under Sections 147, 148, 149, 427 of the Indian Penal Code read with Sections 25(1-b)a/26(2) and 27 of the Arms Act.

As per the prosecution's case, the police received an information that some miscreants were making indiscriminate firing and were indulging in demolishing a boundary wall of a house under construction. When the police rushed to the place of occurrence, they noticed some of the miscreants fleeing away on seeing the police. Three of them were apprehended by the police including this petitioner. Allegedly, they disclosed name of one Kundan Kumar. They also disclosed that other associates



were still sitting in the house of Kundan Kumar. On the basis of disclosure made by the three persons so apprehended, a raid was conducted of the house of the said Kundan Kumar leading to recovery of a fire arm, six live cartridges and a knife.

Learned counsel appearing on behalf of the petitioner has submitted that there is no recovery of any incriminating material from the petitioner's possession as would be evident from the narration of the prosecution's case in the F.I.R..

Considering the petitioner's period of incarceration from 07.07.2021, the nature of allegation made against the petitioner and the fact that there is no recovery of any incriminating material from his possession, a case for grant of regular bail is made out. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Begusarai Town P.S. Case No. 422 of 2021.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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