

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10094 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- ISMAILPUR District- Bhagalpur

Dilkhush Kumar @ Dilkhush Yadav S/o Raj Kishore Yadav R/o Vill. -
Lakshmipur, P.S. - Ismilepur, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-02-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Ismilepur P.S. Case No. 76/23 instituted under Section 392 of the Indian Penal Code lodged on 12.6.2023 by the informant, Roushan Kumar.

3. As per the prosecution story, the informant alleged that brandishing arm, he was looted of Rs. 97,500/- as also certain gadgets. Accordingly, the FIR.

4. Learned counsel for the petitioner submits he has not been named in the FIR rather due to enmity, his name has been incorporated by those inimical to him, he do not have criminal antecedent.

5. Learned APP opposes the prayer for grant of anticipatory bail.



6. Taking into account the submissions put forward by the parties as also that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Ismilepur P.S. Case No. 76/23 to the satisfaction of learned J.M.-1st, Naugachia, Bhagalpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every month for next one year to mark his



attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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