

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16863 of 2024

Arising Out of PS. Case No.-86 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Dilip Kumar S/o Sogarath Ray @ Swagarth Ray R/o Village- Jhapaha
Majhauiliya Ward No. 9, P.S.- Ahiyapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahindwara P.S. Case no.86 of 2023 registered under sections 399, 402, 379, 413, 414 and 34 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that having received information about the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted and some of the accused persons caught. From possession of the petitioner, a loaded country made pistol and a live cartridge was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's



possession who has been falsely implicated in the case. He is in custody since 17.6.2023 and false implication is because of his antecedents.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner being in custody for about 9 months since 17.6.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mahindwara P.S. Case no.86 of 2023 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 Judicial Magistrate 1st Class, Sitamarhi.

(Partha Sarthy, J)

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