

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33261 of 2024

Arising Out of PS. Case No.-478 Year-2023 Thana- SAUR BAZAR District- Saharsa

Dilkhush Kumar Son Of Suraj Yadav Resident Of Village - Barahi, Tiri Ward
No. 04, P.S. - Sourbazar (BAIJNATHPUR O.P.), District - Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sourbazar P.S. Case No. 478/2023 dated 16.08.2023 registered for the offences punishable under sections 341, 342, 323, 307, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and co-accused persons along with 3-4 unknown miscreants are alleged to have thrown bamboo on the informant's son due to which he fell down and they fired three rounds with intention to kill him causing fire arm injury.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of firing against the petitioner rather the allegation is general and omnibus in nature. The injury sustained by informant's son on left chest near costal region (2x1xdeep) cm. with bleeding, injury no. 2 is penetrating wound near right of spine around lumber region approx. (2x1xdeep) cm. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Sourbazar P.S. Case No. 478/2023, with condition:

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable
to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

