

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9022 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- SINGHESHWAR District- Madhepura

Dilkhush Kumar @ Pakhna Son of Sri Binod Yadav Resident of Village -
Nayagaon, Maura Ramnagar, P.S. - Shankarpur, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ruchi Mandal

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 09-05-2025 Heard Ms. Ruchi Mandal, learned counsel for the
petitioner and Mr. Madhura Nand Jha, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Singheshwar P.S. Case No. 260 of 2024 of 2022 dated 24.07.2024
registered for the offences punishable under sections 109/ 3(5) of
Bharatiya Nyaya Sanhita (BNS) and Section 27 of the Arms Act.

3. The main submissions advanced by the petitioner's
counsel are that the instant matter relates to attempt of murder and
as per the allegation, four miscreants riding on two motorcycles
firstly intercepted the informant when he was on way and
thereafter, one of them shot at him and thereby caused him bullet
injury but the FIR itself shows that no loot with respect to the
informant's mobile and cash was committed by the miscreants and
the informant claimed to be able to identify the accused/miscreants



upon seeing them but even then the petitioner was not put on test identification parade before the informant after he was taken into custody in the present matter and so far as, the material against the petitioner upon which the prosecution is mainly relying is the confessional statement of co-accused Amlesh Kumar who recorded his statement before the police in other criminal case and only on that basis the petitioner was made accused and he has been chargesheeted. It is lastly submitted that the petitioner has been languishing in jail since 26.09.2024 and against him the investigation has been completed. Though, there are three criminal antecedents against him but he is on bail in all the said cases.

4. Learned APP appearing for the State has opposed the bail prayer and pointed out the criminal antecedents of the petitioner but fairly accepted that against him there is no material except the confessional statement of co-accused Amlesh Kumar recorded by him before the police.

5. Considering the facts and circumstances of this case as well as aforesaid submissions and mainly petitioner's the plea that in respect of his involvement in the alleged crime of attempt to murder the prosecution is mainly relying upon the confessional statement of co-accused Amlesh Kumar given before the police and the said plea has not been refuted by learned APP and also coupled with the petitioner's custody period, completion of



investigation against him and his young age this court is inclined to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Singheshwar P.S. Case No. 260 of 2024.

(Shailendra Singh, J)

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