

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22425 of 2025

Arising Out of PS. Case No.-109 Year-2023 Thana- SIWAN CITY District- Siwan

Dilip Singh @ Dilip Kumar Singh Son of Banshi Lal Singh Resident of Vill-
Bindwal Rasaulpur, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Siwan Town P.S. Case No. 109 of 2023, instituted for the offences punishable under Sections 413, 414, 34 of the Indian Penal Code, read with Sections 25(1-B)(a), 26, 35 of the Arms Act, Sections 20(b)(ii)(B), 22 and 24 of NDPS Act.

3. The prosecution case, in short, is that, there is recovery of four live cartridge from the possession of the petitioner. It is further alleged that there is recovery of 1.200 Kg of Ganja from the possession of co-accused, namely, Lalu Yadav.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of arms. It is alleged that only four live cartridge has been recovered from the possession of the petitioner and no recovery of NDPS article has been made from his possession. The petitioner is in custody since 27.02.2023 and has got five criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.08.2025 passed in Cr. Misc. No. 55464 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Town P.S. Case No. 109 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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