

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32403 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Dilip kumar Ray @ Dilip Ray S/o Ramashray Ram R/o Village- Hasanpur
Jitwarpur, Ward No. 15, P.S.- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Satendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 18-07-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sessions Trial No. 486 of 2024, arising out
of Samastipur Mufassil P.S. Case No. 109 of 2024, registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. This is the second attempt made on behalf of the
petitioner, as earlier the prayer for bail of the petitioner was
turned down by this Court in Cr. Misc. No. 79226 of 2024 vide
order dated 23.01.2025. While rejecting the prayer for bail of
the petitioner, a liberty was extended to the petitioner to renew
his prayer for bail before the Court below itself, after framing of
the charge; with a further direction that on verification of the
criminal antecedent, as disclosed by the petitioner, he shall be



released on bail.

4. Learned Advocate for the petitioner contended that the charge in the case was framed on 28.11.2024, thereupon, the petitioner renewed his prayer for bail before the learned trial Court, however, the same came to be rejected on account of the fact that the petitioner has failed to furnish the details of one of the criminal case bearing Mufassil P.S. Case No. 141 of 2008, registered for the offence punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act and Section 364 (A) of the Indian Penal Code. Learned Advocate for the petitioner contended that since the aforementioned criminal case was of the year 2008 and on account of some miscommunication, the same could not be brought on record. However, there was no deliberate move to suppress this fact.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the *prima facie*, it appears that suppression has been made on behalf of the petitioner, despite the liberty extended to him by this Court.

6. Having considered the aforementioned submissions and the observation as well as the liberty extended by this Court, let the petitioner, named above, be released on bail on furnishing



bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge – 3rd, Samastipur in connection with Sessions Trial No. 486 of 2024, arising out of Samastipur Mufassil P.S. Case No. 109 of 2024, subject to the conditions that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will be released from the custody after depositing Rs. 5,000/- in the account of Lawyer's Association Benevolent Fund.

(ii) The petitioner will cooperate in conclusion of the trial.

(iii) He will remain present on each and every date of trial till disposal of the case.

(iv) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(v) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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