

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88651 of 2024

Arising Out of PS. Case No.-680 Year-2022 Thana- MADHEPURA District- Madhepura

Dimpal Kumar @ Sushant Kumar S/o Late Sanjay Yadav R/o Village- Araha
Mahuwa, Ward No- 12, PS and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 08-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Madhepura P.S. Case No. 680 of 2022 dated 13.07.2022 instituted for the offence punishable under Sections 399, 402 of the Indian Penal Code, Section 21(b)/8/20(b)(ii) of the NDPS Act and Section 25(1-b)A, 26, 27, 35 of the Arms Act.

3. The allegation is of recovery of two pistol, one knife, 7 life cartridges, one empty cartridges, 3.380 gram brown sugar, 1.370 gram smack and 300 gram cannabis from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that 300 gram



cannabis was recovered from the dicky of the seized motorcycle which does not belong to the petitioner. Only on the basis of criminal antecedents of the petitioner, he has been made accused in this case. There is no independent witness of the seizure list. Lastly, it has been submitted that the petitioner is in custody since 19.07.2023 having twelve (12) criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner stating that several incriminating articles were recovered from the possession of the petitioner. He is habitual offender which is proved from his long criminal antecedents.

6. Considering the fact that the said recovery has been made from the conscious possession of the petitioner and also he has long criminal antecedents, I am not inclined to grant bail to him at this stage.

7. Accordingly the prayer for regular bail on behalf of the petitioner stands rejected.

8. The learned trial court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of nine (9) months from the date of receipt or production of a copy of this order. In the event, the



trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew his prayer for bail after the expiry of nine months.

(Khatim Reza, J)

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