

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8050 of 2026

Arising Out of PS. Case No.-708 Year-2024 Thana- DARIYAPUR District- Saran

Dilkhush Rai Son of Raju Rai Resident of Village- Akilpur, Ps- Dariyapur,
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh No. I, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-02-2026 Heard Mr. Ajay Kumar Singh No.I, learned counsel
for the petitioner and Mr. Mr.Mithlesh Kumar Khare, learned
counsel for the State.

2. The petitioner is in custody in connection with
Dariyapur P.S. Case No. 708 of 2024 for the offence punishable
under Sections 126(2), 115(2), 118(2), 109, 329(3), 352, 351(2)
and 3(5) of the of the B.N.S. and section 27 of the Arms Act,
lodged on 10.12.2024 by the informant Jitendra Rai.

3. As per the prosecution story, the informant alleged
that while at his door, allegation is that the accused persons
came and on the order of Suresh Rai, Dilkhush Rai (petitioner)
and Jyotish Rai assaulted Kamlesh Rai on the head causing
injury. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he



has already been punished by being in custody since 16.01.2025 and undertakes not to indulge in any criminal activity, he shall be diligently appearing in trial without fail, if granted relief.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also the fact he has remained in custody since 16.01.2025, an undertaking has been given that he shall not indulge in any criminal activity and he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Dariyapur P.S. Case No. 708 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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