

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19017 of 2026

Arising Out of PS. Case No.-76 Year-2025 Thana- DHARHARA District- Munger

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Dilkhush Kumar @ Gopal Kumar, S/O Kishor Singh R/O Vill.- Amari, P.S-
Darhara, District- Munger. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Poonam Kumari, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-03-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest in
connection with A.B.P. No. 138/2026 arising out of Dharhara
P.S. Case No. 76 of 2025 registered for the offences punishable
under Sections 331(4), 305 and 62 of the Bhartiya Nayay
Sanhita 2023.

3. As per FIR, co-accused Chandramanai Kushwaha
was apprehended by the informant while he entered into the
house of informant after criminal trespass, where he was
suspected to enter into the premises with intention to commit
theft. The name of petitioner was disclosed by apprehended co-
accused Chandramanai Kushwaha.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that out of previous enmity, the petitioner was implicated with present crime in question. It is pointed out that even the allegation of criminal trespass is not appears convincing against this petitioner as admittedly he found outside house and his name was disclosed only on the basis of disclosure made by apprehended co-accused person. It is submitted that no act alleged was committed and maximum allegation is of criminal trespass that too against co-accused who alleged to apprehend inside the premises/house of the informant.

5. Explaining criminal antecedent, it is pointed out that petitioner found involved in two more criminal cases, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of criminal trespass not appears available against this petitioner, coupled with the fact that allegation to commit theft is also raised on the basis of suspicion in the background of criminal trespass, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, JJB, Munger/concerned Court, where the case is pending in connection with A.B.P. No. 138/2026 arising out of Dharhara P.S. Case No. 76 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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