

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83306 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- CHEWARA District- Sheikhpura

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Dilkhush Kumar S/O Ashok Singh R/O Village- Andauli, P.S- Chewara,
Distt.- Shiekhpora.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, APP
For the Informant	:	Mr. Devendra Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-01-2026 Heard Mr. Sheo Kumar Prasad, learned counsel for

the petitioner, Mr. Devendra Prasad Singh, learned counsel for

the Informant as well as Mr. Ahmad Ali, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.09.2025 in connection with Chewara P.S. Case No.55 of
2025, F.I.R. dated 08.07.2025 for the offences punishable under
Sections 126(2), 115(2), 109, 303(2), 324(5), 351, 352(2), 3(5)
of the Bharatiya Nyay Sanhita, 2023 and Section 27 of Arms
Act.

3. According to prosecution case, the informant
alleged that on 08.07. 2025, when he was ploughing his field, in



the meantime, the petitioner along with other co-accused persons, came and started abusing him and assaulted him by means of lathi and rod, opened fire upon him with intention to kill him, the bullet passed over his forehead. It is further alleged that the accused persons destroyed his motorcycle also.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against him rather there is general and omnibus allegation against all the accused persons including the petitioner and due to some petty dispute the present occurrence has taken place and there is case and counter case between the parties. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 12.09.2025.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and injury inflicted upon the informant is grievous in nature and apart from that the petitioner carries seven criminal antecedents other than the



present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in six cases out of seven.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-II, Sheikhpura in connection with Chewara P.S. Case No.55 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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