

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91489 of 2025

Arising Out of PS. Case No.-163 Year-2024 Thana- Baijnathpur District- Saharsa

Dilkhush Kumar S/O Amrendra Yadav R/O Village- Parsi ward No.-3, P.S-
Arar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Randhir Kumar No.1, learned counsel for
the petitioner and Mr. Anil Prasad Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
20.03.2025 in connection with Baijnathpur P.S. Case No. 163 of
2024, F.I.R. dated 28.12.2024 for the offences punishable under
Sections 309 (4), 309(6), 109 of the B.N.S. and section 27 of the
Arms Act.

3. According to prosecution case, petitioner and other
accused persons are alleged to have demanded ransom from the
informant and upon protest a gun shot injury to his brother on
his thigh and took out Rs. 18,000/- from the pocket of the
informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. His name has been transpired on the basis of confessional statement of apprehended accused persons namely, Halchal and Chandan Kumar. The petitioner and Chandan Kumar has been remanded in Pastpar P.S. Case No. 53/2024 on 28.12.2024 and he was remanded in the present case on 20.03.2025. The name of the petitioner transpired on the basis of confessional statement of apprehended co-accused namely, Halchal and Chandan Kumar. Till date, no TIP has been conducted and no incriminating material has been recovered from the petitioner's possession. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.03.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the six cases and one case is pending.

6. Considering the aforesaid facts and circumstances,



petitioner is not named in the F.I.R., the name of the petitioner transpired on the basis of confessional statement of apprehended co-accused persons, till date no TIP has been conducted, 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 J.M., Saharsa in connection with Baijnathpur P.S. Case No. 163 of 2024, with the other 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 her absence on two consecutive dates without sufficient reason, his/her 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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