

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23051 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

Dilshad alias Dilshad Alam aged about 27 years male Son of Ludhu alias Abul Gani alias Abdul Gani Resident of Village - Bhebhra, Modho, P.S. Kochadhaman, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Amrit Abhijat, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-11-2020 Heard Mr. Ram Prawesh Kumar, learned counsel for petitioner, Mr. Amrit Abhijat, learned counsel for the informant and Mr. Nawal Kishore Prasad, learned counsel for the State through video conferencing.

Petitioner seeks regular bail in connection with Kochadhaman P.S. Case No. 03 of 2020 registered for the offence under Sections 365 / 302 / 201 / 34 of the I.P.C.

The allegation as per the First Information Report is that on 30.12.2019 around 9.00 P.M. co-accused Raja and Imran arrived at the house of the informant and asked his brother Santosh Kumar Choudhary to come along with them and the brother of the informant accompanied the said accused persons. It has further been alleged that the brother of the informant did not return and upon enquiry one Dilshad (i.e. the petitioner) apprised that on 31.12.2019 he had seen the deceased along with the accused persons.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case inasmuch as it was the petitioner who had informed the informant that he had seen the deceased along with the co-accused persons. Learned counsel further submits that the name of the petitioner has transpired in this case on the basis of confessional statement allegedly made by him.

On the other hand, learned counsel for the State as well as the informant submit that the petitioner in his confessional statement has categorically stated that he along with other co-accused persons have killed the deceased and has thrown his dead body in Mahananda river and on the basis of confessional statement and indication of the petitioner the dead body was recovered from Mahananda river. Accordingly, the submission is that confessional statement has led to recovery of dead body of the deceased.

Having heard learned counsel for the parties and taking into consideration the materials available on record, I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

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(Anil Kumar Sinha, J)

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