

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45548 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- PUNPUN District- Patna

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Dharmvir Kumar @ Loha @ Manjhila @ Majhala S/O Sakaldeo Ram R/o
village- Varuna, P.S.- Gaurichak, District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Nandan Pandit, Adv

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 302,120B and 34 of IPC and 27 of Arms Act.

The prosecution case, in brief is that on 27.05.2020 in the evening, the informant heard the hulla that his son Pintu Kumar @ Chote, who has gone to take Johnson powder for his child, was killed by two unknown persons by firing, who had come to motorcycle and fled away.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been falsely implicated in the present case only on the basis of confessional



statement of co-accused, namely, Raushan Kumar. He further submits that during investigation, except confessional statement of co-accused, nothing has come against the petitioner.

On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that during investigation it has come that the petitioner was present at the time of occurrence. He referred to para- 48,11,12,13 and 14 of the case diary. He further submits that prayer for bail, of similarly situated co-accused, namely, Pawan Kumar, Vishal Kumar and Raushan Kumar, have been rejected by different Coordinate Benches of this Hon'ble Court vide order dated 18.08.2021 in Cr. Misc. No.7517 of 2021, order dated 09.08.2021 in Cr. Misc. No.6710 of 2021 and order dated 20.12.2021 in Cr. Misc. No. 26948 of 2021 and their name also come on the basis of confessional statement of co-accused.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Punpun P.S. Case No. 132/2020 pending in the court of learned A.D.J., Masaurhi, Patna. Prayer is refused.

(Rajesh Kumar Verma, J)

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