

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69267 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- BHADHWAR District- Gaya

DINESH BHUIYA @ DINESH BHUIYAN S/o Mungeshar Bhuiyan, R/o
Village- Jhangat, P.S.- Dumaria, Distt- Gaya. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.
For the Opposite Party/s : Mr.J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 15-05-2023 Heard the learned counsel for the petitioner as well as

Mr. J. N. Thakur, the learned Additional Public Prosecutor for the

State.

The petitioner is seeking regular bail in connection with
Bhadwar P.S. Case No. 9 of 2022, registered for offence
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

This case has been lodged on the basis of report of
Chowkidar when a dead body was found. Later on, it was detected
that it was the dead body of Md. Anjar Ansari.

The learned counsel for the petitioner has submitted that
the petitioner is not named in the FIR and he has been made
accused only on the basis of call detail record (CDR), which
reveals that there was conversation between the deceased and the
wife of the petitioner. He has submitted further that except
suspicion, there is nothing against the petitioner in the entire case



diary.

On the other hand, Mr. J. N. Thakur, the learned APP has opposed the prayer for bail and submitted that Sabita Devi, who is wife of the petitioner, has stated in her statement that her mobile set was used by her husband, the petitioner. He has also submitted that in the statement of witness, Ram Swaroop Bhuiya in paragraph no. 48 of the case diary, it has been emerged that prior to death of the deceased, he had apprised that when the petitioner was in jail, his wife had taken money from him. There was also illicit relation between the wife of the petitioner and the deceased. When the petitioner was released from jail, he returned Rs.17,000/- to the deceased. This witness has also stated that the deceased used to talk with the wife of the petitioner on her mobile no. 7479842906 and the petitioner had threatened him to kill. He has also submitted that the petitioner is a person of criminal antecedents and there are three cases against him.

Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Nawneet Kumar Pandey, J)

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