

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28556 of 2024

Arising Out of PS. Case No.-482 Year-2023 Thana- SAUR BAZAR District- Saharsa

Dilkhush Kumar Son of Hare Ram Sah Resident of Village- Golma (Basa Tola) Ward No. 18, P.S.- Saur Bazar (Patarghat O.P.) District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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

ORAL ORDER

3 20-08-2024 Heard learned counsel for the petitioner and learned
Additional P.P. for the State.

2. The petitioner is in judicial custody in connection with Saur Bazar (Patarghat O.P.) P.S. Case No. 482 of 2023 registered under Sections 341, 323, 302, 379, 504 and 506/34 of the Indian Penal Code as also Section 27 of the Arms Act.

3. As per the allegation, the mother of the informant was going to deposit money in the Bank, the FIR named accused persons including the petitioner surrounded her and on the order of co-accused Chandan Kumar, the petitioner fired at the mother of the informant and Chandan Kumar snatched Rs. 45,000/- from the possession of the deceased.

4. Learned counsel for the petitioner submits that



there are contradictions in the statement of the witnesses. As per the allegation in the FIR, the petitioner fired at the deceased but during investigation, the witnesses has stated that the petitioner has fired at Daulat Sah but the target missed and it hit the deceased.

5. Mr. J.N. Thakur, learned Additional P.P. has opposed the prayer for bail by submitting that even it is assumed to be true that the target missed but the statement of the witnesses shows that the petitioner is killer of the mother of the informant. Further submission is that the post-mortem report corroborates the allegation.

6. In the aforesaid facts and circumstances of the case, I am not inclined to extend him the privilege of bail which is accordingly, rejected.

(Nawneet Kumar Pandey, J)

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