

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34858 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- NASRIGANJ District- Rohtas

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Dipu Kumar Sharma S/o Pratap Sharma R/o vill - Hariharganj, P.S. - Nasrig-
anj, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kamla Kant Pandey, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 05-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case under Section
302/34 of the Indian Penal Code.

3. As per allegation in the FIR, it is a case of death of
the mother of the informant (deceased) by the petitioner and
other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and petitioner
has been arrested on mere suspicion and there is no eye witness
of the alleged occurrence. He next submits that the petitioner
has got no concern with the informant and her family members
and he has got no criminal antecedent as stated in para-3 of the
petition and he is in custody since 11.01.2024.

5. Learned APP for the State opposes the prayer for



bail and submits that the petitioner is involved in the murder of the mother of the informant and further alleged that petitioner in his confessional statement has confessed his indulgence for commission of the murder of the deceased.

6. On perusal of the first information report, case diary, postmortem report of the deceased and impugned order dated 09.04.2024, it appears that the petitioner had been using the SIM number of the deceased and as per postmortem report of the deceased, the cause of the death of the deceased has been haemorrhage and shock caused by hard and blunt substance and electronic evidence together with confessional evidence, prima-facie supports the indulgence of the petitioner in committing the murder of the mother of the informant (deceased).

7. Considering the facts and circumstances of the case and nature of the offence, I am not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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