

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52879 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Dhiraj Kumar Son of Amarkant Giri Resident of village - Sivaisinghpur, P.s. -
Mohiuddin Nagar, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vinod Pandey, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Shankar Prasad Ray, Advocate
		Mr. Raj Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mohiuddin Nagar P.S. Case No. 87 of 2023 for the offences
registered under Sections 302, 120B, 34 of the Indian Penal
Code.

3. As per the prosecution case, petitioner along with
other accused persons have committed murder of Babita Devi,
sister of the informant, who are own *Gotia*.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Petitioner has
not committed any offence as alleged in the F.I.R. Petitioner and
deceased were living separately. Informant is not the eye



witness to the occurrence. Petitioner has no criminal antecedent.
He is in jail custody since 29.03.2023.

5. Learned counsel appearing on behalf of the State assisted with learned counsel for the informant oppose the prayer for grant of bail to the petitioner and submits that petitioner has confessed his guilt in his confessional statement and on the basis of his confession police recovered *Lodha*, T-shirt and blood stained towel which shows his involvement in the alleged occurrence. Doctor has found cause of death of the deceased due to haemorrhage and shock due to brain injury caused by hard and blunt substance.

6. Considering the fact and circumstances of the case and submissions made on behalf of the parties, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner is rejected in connection with Mohiuddin Nagar P.S. Case No. 87 of 2023.

(Sunil Dutta Mishra, J)

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