

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64570 of 2024

Arising Out of PS. Case No.-1534 Year-2023 Thana- DANAPUR District- Patna

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Dabloo Lohar S/o Late Ramsawroop Mistri R/o Digha, Bans Kothi Gate
No.93, P.S.- Digha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Danapur P.S. Case No. 1534 of 2023 instituted for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution case in a nutshell is that police on
information, recovered one dead body from a closed and
dilapidated house near *Swastik* mill.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-12-2023. Petitioner
bears five criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of his self-confessional statement, and the same has no evidentiary value in the eye of law. No incriminating article has been recovered from the possession of the petitioner. Police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner confessed his involvement in the alleged occurrence due to a dispute relating to money transaction. It is submitted that co-accused, namely, Avhinash @ Chanki @ Chinki has confessed his guilt and has stated the complicity of the petitioner in the alleged occurrence, which fact finds mention at Paragraph No. 66 of the case diary as also petitioner has also confessed his guilt in his confessional statement. It is submitted that petitioner has fired upon the deceased. Moreover, postmortem report also corroborates.

7. Considering the aforesaid facts and circumstances of the case, taking into account the complicity of the petitioner in the alleged occurrence, this Court is not inclined to grant bail



to the petitioner. Prayer is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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