

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26592 of 2025

Arising Out of PS. Case No.-527 Year-2024 Thana- MANER District- Patna

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Dharmendra Kumar S/o Kashi Rai R/o vill - Lodipur, P.S. - Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 07-07-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary called for in Cr. Misc. No. 3874 of 2025.

2. The petitioner seeks bail in connection with Maner P.S. Case No. 527 of 2024 instituted for the offences under Sections 140(1), 109, 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is to have killed the Informant's husband and disappeared his dead body.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case



merely on the basis of suspicion. The petitioner has not committed any offence as alleged in the F.I.R. The Informant is not the eye-witness to the alleged occurrence. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has two criminal antecedents and is languishing in judicial custody since 03.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. He further submits that in this case, the injured Vinay Kumar is the eye-witness to the alleged occurrence who have supported the prosecution case. The petitioner, in his confessional statement, has also confessed his guilt. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.



6 Having heard learned counsel for the parties and considering the nature and gravity of the offence as alleged against the petitioner as also taking into account the materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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