

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10049 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- POTHIIYA District- Kishanganj

Dabir Alam @ Dabir son of Samsuddin @ Samsul Haque R/v- Jhoragachh
Ps- Chopra Dist- Uttar Dinajpur W.B

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 26.06.2025 in connection with Pothia P.S. Case No. 167 of 2025 for the offences punishable under Sections 103(1), 238 and 3(5) of BNS.

3. The prosecution story, in brief, is that on 18.6.2025 at about 9.00 P.M. informant's husband Md Hamidul went from the house. When he did not return for long time she called him on phone. Her husband stated that he has gone to meet the petitioner but did not return to the house. Thereafter again she tried to call her husband on mobile phone but her mobile phone was switched off. She tried to search for her husband but could not succeed. On. 21.6.2025 at about 10 p.m she got information



that motorcycle of her husband was lying near Golapanabara. On 22.6.2025 she got information that dead body of unknown person was lying at Jangal Basti. She went there and found dead body of her husband.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR and petitioner has been made an accused in this case on the basis of suspicion and except suspicion, no other cogent material has come during investigation to suggest the involvement of petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State on the basis of materials available on record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended and he has confessed his guilt in the present occurrence and he has stated the manner of occurrence and that he along with other co-accused persons have committed the occurrence in question and the postmortem report also supports the confessional statement of the petitioner and apart from aforesaid, the petitioner has



antecedent of two cases other than the present case.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Pothia P.S. Case No. 167 of 2025 pending in the Court of learned Sessions Judge, Kishanganj.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

