

In the Court of Additional Sessions Judge III, Danapur, Patna

Present: Manoj Kumar Srivastava, A.S.J.-III, Danapur

Bail Petition No. 79/2026

Arising out of Danapur P.S. Case No. 1237/2025

Loha Singh @ Dipu Kumar, S/o Dinesh Rai, R/o Vill Pipa Pul Akhara Ghat, P.S. Danapur, Dist Patna Petitioner.

The State of Bihar Prosecution.

On behalf of Petitioner: Sri Kamlesh Kumar, Ld. Advocate
On behalf of Opposite Party: Md. Kalam Ansari, Ld. A.P.P.
On behalf of Informant: Sri Safdar Hayat, Ld. Advocate

ORDER

17-03-2026

01. The regular bail petition has been filed by the petitioner, who is in custody since 14/12/2025 in connection with the present Danapur P.S. Case No. 1237/2025, dt. 01/12/2025, registered u/s 103(1), 3(5) of the B.N.S., which is pending in the Court of A.C.J.M.-I, Danapur.

02. The prosecution case, as per, the written-application of informant Sunil Prasad, in brief, is as such: That on 18/10/2025, the informant's son namely Bunty Kumar went out of the house and thereafter did not return home till evening. Then the informant and family members started searching him. Further alleged that on 19/10/2025, the dead body of his son was found near Davaniya drainage, Danapur. The informant lodged written complain in Danapur P.S. Further alleged that on 12/11/2025, the police found in CCTV camera near Devaniya that all the F.I.R. named accused persons were present at the place of occurrence. It is alleged that they have killed his son. On the basis of written report of the informant, F.I.R. was lodged and investigation started.

03. The learned lawyer of the petitioner has submitted that the petitioner is quite innocent and has committed no offence as alleged and the allegation leveled against him is totally false and baseless. Further that earlier no bail application either anticipatory or regular was filed either in this court or in the Hon'ble High Court by the petitioner. Further the petitioner is also accused in Danapur P.S. case no. 231/2025. Further submitted that the prosecution story is a concocted story and the petitioner has been falsely implicated in this case due to previous enmity. The date of occurrence is 18/10/2025 and F.I.R. was lodged on 01/12/2025 without any reasonable explanation. The petitioner is an illiterate person and is a cattle feeder and has been arrested on 13/12/2025 and the police forcefully taken his thumb impression on blank paper and converted it into confessional statement. Lastly, it is submitted that the petitioner is in custody since 14/12/2025 without any fault and is ready to execute bail bond as per direction of the court. So, the petitioner may be enlarged on bail.

04. The learned Addl. P.P. has vehemently opposed the prayer of bail of the petitioner.

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05. Heard the Ld. Lawyers of the respective parties and perused the case record.

06. From perusal of the F.I.R., it appears that the present case has been lodged for the offence u/s 103(1), 3(5) of the B.N.S. for killing the son of informant. So far case diary is concerned, para 2 of the case diary contains that U.D. case no. 31/2025 dated 31/10/2025 was registered on finding of an unidentified dead body and its postmortem was done. The prosecution case finds support from prosecution witnesses (Para 3, 4, 5 of the CD). Para 31 of the CD contains the confessional statement of the petitioner. Para 35 of the CD contains the criminal history of petitioner and it shows that the petitioner is also accused in Danapur P.S. case no. 231/2025. Further the attached case diary of U.D. case no. 31/2025 para 13, 19 shows that the petitioner was with the deceased just before his death. Further para 39 of the case diary of UD case contains the postmortem report and it shows that right eye injury was found to the deceased and the injury was likely to be caused by some heavy sharp object leading to cardio arrest. On perusal of entire materials on record, the court finds that the offence is very serious in nature leading to human killing and there is sufficient materials in the case diary against the petitioner.

07. Considering the facts discussed above and nature of the offence, I am not inclined to grant regular bail to the above named petitioner and the same is, accordingly, **rejected**. O/C is directed to send a copy of this order to the learned Court below and a copy of the same be uploaded in C.I.S.

(Dictated)

(Manoj Kumar Srivastava)
Addl. S. J. 3rd, Danapur
17-03-2026

Memo No...../ Dated...../...../.....
Copy forwarded to
the Court of.....

Seal of the Court

Sd/-
(Manoj Kumar Srivastava)
Addl. S. J. 3rd, Danapur