

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8640 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- SONO District- Jamui

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NAND KISHORE YADAV S/O- LATE GANAURI YADAV R/O-
VILLAGE- BHELWA MOHANPUR, P.S.- SONO, DIST.- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sono
P.S. Case No 293 of 2023 instituted for the offences punishable
under Sections 302/34 Indian Penal Code.

3. As per the prosecution case, the allegation against
the petitioner is that on the alleged date of occurrence at about 2
A.M. in the night he has slit the throat of the informant's
husband Chandrika Yadav due to which he succumbed to his
injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has no concern with the



alleged occurrence. The petitioner has got not criminal antecedent and he is languishing in judicial custody since 24.08.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 08.12.2023, case diary along with postmortem report, it appears that on the basis of written report of informant F.I.R. registered for the offence under Sections 302/34 of the I.P.C. against the petitioner upon whom there is specific allegation that on the alleged date of occurrence he has slit the throat of the deceased Chandrika Yadav due to which he died. As per F.I.R., in injured condition the deceased had told the informant that petitioner was the person who slitting his throat and ran away. The informant has also seen the petitioner running away from her house. The postmortem report corroborates the prosecution case from perusal of which, it appears that cause of death has been assigned to shock due to haemorrhage caused by sharp cutting weapon. During investigation, other witnesses of this case have also supported the prosecution case.

7. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and serious



nature of allegation, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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