

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38884 of 2024**

**In
CRIMINAL MISCELLANEOUS No.39157 of 2023**

Arising Out of PS. Case No.-389 Year-2021 Thana- KHAIRA District- Saran

Jitendra Singh Son of Sadanand Singh Resident of Village- Phirojpur, P.S.-
Khaira, Dist.- Saran(Chhapra)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Madhukar, Adv

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khaira P.S. Case No. 389 of 2021 dated 08.11.2021 registered for the offence punishable u/ss 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with his wife, namely, Phool Kumari Devi assaulted the father of the informant due to which he died.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is nephew of the deceased. It is also submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioner participated in the occurrence to kill the deceased. The charge sheet has already been submitted. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.11.2021.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the nephew of the deceased and he along with his wife killed the deceased. Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 16.08.2023 passed in Cr. Misc. No. 39157 of 2023. As per the para 2 of the case diary the sign of wound has found on the right wrist. As per the post mortem report, optical bone got fractured and the cause of death is due to hard blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Khaira P.S. Case No. 389 of 2021 pending in the court of learned A.D.J- VII, Saran at Chapra.



7. The application stands rejected.

(Chandra Prakash Singh, J)

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