

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54519 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- RIVILGANJ District- Saran

Niraj Kumar Yadav Son of Sri Shyamdeo Yadav @ Shyamdeo Ray R/O Vill.-
Khairwar, P.S.- Rivilganj, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mrs. Vaishnavi Singh Mr. Purushottam
For the Informant	:	Mr. Krishna Kumar Yadav
For the Opposite Party/s	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 18-10-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rivilganj P.S. Case No. 53/2024 dated 28.02.2024 registered for the offence punishable u/s 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant's nephew went for running. In the meantime, the co-accused pressed the mouth of the informant's nephew and the other co-accused stabbed knife on his back with an intention to kill. Further, the petitioner, Niraj Kumar Yadav inflicted blow of knife which hit the chest below the neck of the informant's



nephew. Thereafter, the injured was taken to the hospital where he succumbed to the injury on 26.02.2024.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that there is no eye witness of the alleged occurrence. It is further submitted that as per the FIR, two persons have been made accused, namely, Dhiraj Kumar Yadav son of Shyamdeo Yadav and Brajesh Kumar Yadav son of Uma Shankar Yadav and the informant in his re-statement has initially named Niraj Kumar Yadav. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of stabbing knife on the deceased. It is further submitted that as per the statement of the witnesses mentioned in para 5,6,7,8,9 and 10 of the case diary, all the witnesses have supported the prosecution case and the postmortem report also supports the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of



allegation against the petitioner, I am not inclined to enlarge the
petitioner on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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