

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70278 of 2024**

Arising Out of PS. Case No.-579 Year-2023 Thana- PAKARIBARAW District- Nawada

Jyoti Kumar @ Jyotish Singh @ Jyoti Singh Son of Pintu Singh R/o Village-  
Kudheta, P.S.- Pakribarawan, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                     |
|--------------------------|---|-------------------------------------|
| For the Petitioner/s     | : | Mr. Pramod Kumar, Advocate          |
| For the Opposite Party/s | : | Mr. Pramod Kumar Pandey, APP        |
| For the Informant        | : | Mr. Mithlesh Prasad Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      05-12-2024                      Heard learned counsel for the petitioner, learned  
APP for the State, learned counsel for the informant and perused  
the case diary.

2. The petitioner seeks bail in Pakribarawan P.S. Case  
No. 579 of 2023, instituted for the offences punishable under  
Sections 302, 363 of the Indian Penal Code

3. The prosecution case, in short, is that, sister of the  
informant was found lying dead in front of the house of her  
husband and daughter of his sister was kidnapped. It is further  
alleged that the petitioner Jyoti Kumar who is nephew of the  
informant's brother-in-law, had earlier assaulted, abused his  
sister and both of her kids due to land dispute and other family  
issues and also threatened them with dire consequences.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the Court below has taken cognizance in the matter under Sections 302 and 364 of the I.P.C. thereafter, charge has already been framed in this case. It is further submitted that it appears from perusal of the FIR that informant raised mere suspicion that earlier, the petitioner had a quarrel with his brother-in-law and he used to threaten to kill sister of the informant and his nephew and niece. The petitioner is in custody since 05.12.2023 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP also submits that the petitioner is named in the FIR and recovery of dead body of niece of informant has been made on the basis of information received by him in his confessional statement. It is further submitted that informant in his re-statement in paragraph no. 4, witnesses in paragraph nos. 8, 9 and 10 have supported the prosecution case. The postmortem report of deceased Kiran



Kumari and Manshi Kumari has opined cause of death due to strangulation and drowning in water respectively. It is also a case of double murder, hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. At this stage, the prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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