

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79347 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- JOGBANI District- Araria

MD. KAIJUM S/o Late Jalil R/o vill - Tiheli, Tola Mirganj, ward no. 24, P.s. -
Jogbani, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Jha, Advocate
For the Opposite Party/s	:	Mr. Chandra Sen Prasad Singh, APP
For the State	:	Mr. Madhav Jha, Advocate
	:	Mr. Nishant Chaudhary, Advocate

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

ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Jogbani
P.S. Case No. 2 of 2024 instituted for the offences under
Sections 302/34 of the Indian Penal Code.

3. Allegation against the petitioner is of giving knife
blow on the neck of the informant's son due to which he
sustained injuries and died.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case due to ulterior motives. Learned counsel further submitted that there is no eye-witness to the occurrence including the informant of the present case. Learned counsel further submitted that petitioner had no intention to kill the deceased and it appears that there is no repetition of knife blow and hence, Section 302 of the IPC is not attracted against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant further submitted that there is specific allegation against the petitioner of giving knife blow on the neck of the deceased due to which he died. Learned APP for the State also submitted that the allegation as levelled against the petitioner is further supported by the post-mortem report, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation against the petitioner of giving knife blow on the neck of the deceased, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for grant of bail to the petitioner is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

