

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30266 of 2026

Arising Out of PS. Case No.-12 Year-2023 Thana- BIBIGANJ District- Kishanganj

Israil Alam S/o- Late Surman Ali Village- Farhabari PS- Terhagachh District-
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ruby, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

4 16-07-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.T.
No. 277 of 2023 arising out of Bibiganj P.S. Case No. 12 of
2023 instituted for the offence under Sections 302 & 34 of the
Indian Penal Code.

3. The prosecution case, in brief, is that the informant
alleged her daughter was subjected to prolonged physical and
mental cruelty by the petitioner and his family members after
marriage, due to which she had been residing at her parental
home. It is further alleged that on 24.06.2023, the petitioner
entered the informant's house, forcibly took his wife near a hand
pump, assaulted her with a knife by slitting her throat and



stabbing her in the stomach, causing her death.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.06.2023. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that petitioner assaulted her wife by means of knife due to which she died. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation of stabbing the deceased on the petitioner, which is corroborated by the postmortem report, wherein, it is opined that cause of death is due to hemorrhage and shock as a result of injury caused.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner of stabbing her wife which fact is corroborated by the postmortem report, hence, this Court is not inclined to enlarge petitioner on



bail. Prayer for bail of the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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