

In the Court of Sessions Judge, Sant Kabir Nagar
Bail Application No.1351/2022
(C.N.R. No. - UPSK010028552022)



1. Pramod Shukla @ Baijnath Shukla aged about 32 years s/o
Late Prahlad Shukla R/o Ekalamafi Shukla, PS Mehdawal,
District Sant Kabir Nagar.

-----Accused/applicant

Versus

1. State of U.P.

-----Opposite Party

18.10.2022

The instant bail application supported with affidavit, has been moved by the Accused/applicant **Pramod Shukla @ Baijnath Shukla** for grant of bail to him in case crime no. **168/2022**, U/s **302 IPC**, PS Mehdawal, District Sant Kabir Nagar.

According to the prosecution case, there is allegation against applicant that on 16/17.07.2022 at about 11:30 PM, he murdered his mother Smt. Vimala Devi causing injury on her throat and other parts of body by sickle.

I have heard the learned counsel for the applicant, D.G.C. (Crl.) for State and perused the relevant police papers.

Learned counsel for the accused/applicant emphasizing on bail application argued that - applicant is innocent. There used to be frequent quarrel between his wife and mother due to which his wife went to her 'Mayaka' being annoyed of his mother. Applicant lived at his house with his mother. There was no other any male person in his family, residing at his home. On the date of incident, applicant had gone to unload his 'Pickup' and did not come back home in the night, when he came back in the morning he saw that there was crowd before his house and he came to know that some unknown person murdered his mother with sharp edged weapon. On the behest of few co-villager his brother lodged this false case against him. Sometimes there was quarrel between him and his mother on the point of his wife but it is not possible that he murdered his real mother due to that petty reason. He has no criminal history. There is no apprehension of his absconding. With these submissions, Ld. Counsel for the accused prayed for bail.

Learned D.G.C. (Crl.) for the State vehemently opposed the

bail application and argued that in the postmortem report 4 incised wound and fracture in 4th and 5th ribs of left side, was detected. The incised wound spotted on neck, left shoulder, right side of chest, left side of back. The cause of death of deceased Hemorrhage due to ante-mortem injury. In parch no. 1 of the case diary the statement of Vishpratap @ Harshit Shukla aged about 5 years, the real son of the applicant discloses that applicant has committed murder of deceased. Weapon used in offence has been recovered on the pointing of accused/applicant from the container of rice into his house. With these submissions, Ld. D.G.C(Crl.) for the State prayed for rejection of bail.

In view of the above facts and circumstances of the case, the gravity of the offence alleged to have been committed by accused/applicant, recovery of weapon used in commission offence, injury detected on the dead body of deceased and statement of the real son of accused/applicant, this Court is of opinion that there is no ground to release accused/applicant on bail. Accordingly, the bail application is liable to be **rejected**.

ORDER

The present bail application of accused/applicant **Pramod Shukla @ Baijnath Shukla** is, hereby, **rejected**.

Dated: 18.10.2022

(Lakshmi Kant Shukla)
Sessions Judge,
(J.O. Code UP06549)
Sant Kabir Nagar